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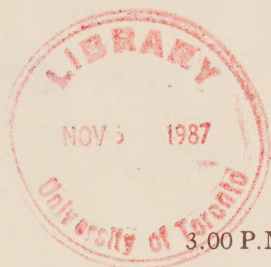






# Proceedings at the Opening of the Legislative Assembly of the Province of Ontario

**1st Session, 34th Parliament  
Tuesday, November 3, 1987**



The Members having assembled:

1. The Honourable the Lieutenant Governor will enter the Chamber and take his seat on the Throne.
2. The House will be informed that His Honour will state the reasons for calling the Session as soon as a Speaker has been chosen and His Honour will retire.
3. Election of the Speaker.
4. The newly elected Speaker will be conducted to the Dais by the mover and seconder of his nomination and standing on the upper step he will thank the Assembly for his election and will then take his seat in the Speaker's Chair and the Mace will be placed on the Table.
5. The House will adjourn during pleasure.
6. His Honour will re-enter the Chamber and again take his seat on the Throne.
7. The Speaker will inform His Honour of his election and call on His Honour to acknowledge the ancient rights and privileges of Parliament.
8. His Honour's reply will be made to the Speaker.
9. The Aide-de-Camp will receive the Speech from the Throne and deliver it to His Honour.
10. His Honour will read the Speech.
11. The Aide-de-Camp will receive the Speech from His Honour and deliver it to the Speaker.
12. The Honourable the Lieutenant Governor and attendants will then retire, followed by the Justices of the Supreme Court of Ontario.
13. The Speaker will ascend the Throne and read the Prayers.



14. Traditional Introduction of one Bill.
15. Motion for consideration of the Speech of His Honour the Lieutenant Governor.
16. The House will then adjourn.



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Government  
Publication

No. 2

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
**Wednesday, November 4, 1987**

## GOVERNMENT BILLS AND ORDERS

1. *Consideration of the Speech* of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions.  
M. Scott.

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# Orders and Notices

## Legislative Assembly of the Province of Ontario



**1st Session, 34th Parliament**  
**Thursday, November 5, 1987**

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## GOVERNMENT BILLS AND ORDERS

1. *Consideration of the Speech* of His Honour the Lieutenant Governor at the Opening of the Session.

2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* **IMPRIMÉ.**

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon.*

4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.*

5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.*

6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.*
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**PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS**

7. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places.  
*Mr Sterling.*
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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, November 9, 1987

## GOVERNMENT BILLS AND ORDERS

1. *Consideration of the Speech* of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.*
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.*

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.*

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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

9. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
  10. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.*
  11. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.*
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## NOTICE

## GOVERNMENT MOTION

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, November 10, 1987

## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.*
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
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8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

9. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

10. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
  11. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.*
  12. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.*
  13. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.*
  14. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.*
  15. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.*
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## NOTICES

### GOVERNMENT MOTION

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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1. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Colleges and Universities provide an up-to-date report on the use of the faculty renewal fund by the universities: especially, how many new faculty have been hired, how many new positions have been created, how many women are among the appointees, and what the overall increase in faculty numbers has been as a result of the faculty renewal program. *November 10, 1987.*
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**BILLS REFERRED TO STANDING COMMITTEES****STANDING COMMITTEE ON REGULATIONS AND PRIVATE  
BILLS**

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin. (Referred November 9, 1987.)*

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft. (Referred November 9, 1987.)*

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens. (Referred November 9, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

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**BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS**

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, November 16, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* **IMPRIMÉ.**

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). **PRINTED.**
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

9. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand). **PRINTED.**
  10. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

11. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling. PRINTED.*
  12. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve. PRINTED.*
  13. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens. PRINTED.*
  14. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden. PRINTED.*
  15. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. PRINTED.*
  16. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier. PRINTED.*
  17. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.*
  18. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).*
  19. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).*
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## NOTICES

### GOVERNMENT MOTION

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
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## QUESTIONS

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1. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Colleges and Universities provide an up-to-date report on the use of the faculty renewal fund by the universities: especially, how many new faculty have been hired, how many new positions have been created, how many women are among the appointees, and what the overall increase in faculty numbers has been as a result of the faculty renewal program. *November 10, 1987.*
  
2. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Education provide data on the provincial general legislative grants to boards of education based on the 1986 audited statements. *November 16, 1987.*
  
3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint

Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer. (Referred November 10, 1987.)*

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin. (Referred November 9, 1987.)*

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft. (Referred November 9, 1987.)*

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens. (Referred November 9, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walker-ville). (Referred November 10, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

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### BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, November 17, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.*
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

9. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand). PRINTED.*
10. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*
11. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*

12. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*
  13. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*
  14. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

15. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling*. PRINTED.
  16. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve*. PRINTED.
  17. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens*. PRINTED.
  18. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden*. PRINTED.
  19. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier*. PRINTED.
  20. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier*. PRINTED.
  21. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland*. PRINTED.
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## NOTICES

## GOVERNMENT MOTION

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
  2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
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## QUESTIONS

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1. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Colleges and Universities provide an up-to-date report on the use of the faculty renewal fund by the universities: especially, how many new faculty have been hired, how many new positions have been created, how many women are among the appointees, and what the overall increase in faculty numbers has been as a result of the faculty renewal program. *November 10, 1987.*
  
2. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Education provide data on the provincial general legislative grants to boards of education based on the 1986 audited statements. *November 16, 1987.*
  
3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint

Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer. (Referred November 10, 1987.)*

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin. (Referred November 9, 1987.)*

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft. (Referred November 9, 1987.)*

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens. (Referred November 9, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walker-ville). (Referred November 10, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

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### BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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No. 8

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Wednesday, November 18, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.*
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

9. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand). PRINTED.*
10. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*
11. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*

12. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*
  13. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*
  14. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

15. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
  16. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
  17. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
  18. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
  19. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
  20. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
  21. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
  22. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**
  23. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**
  24. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.*
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## NOTICES

### GOVERNMENT MOTION

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
  2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
  3. *Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend The Fire Department Act R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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1. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Colleges and Universities provide an up-to-date report on the use of the faculty renewal fund by the universities: especially, how many new faculty have been hired, how many new positions have been created, how many women are among the appointees, and what the overall increase in faculty numbers has been as a result of the faculty renewal program. *November 10, 1987.*
2. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Education provide data on the provincial general legislative grants to boards of education based on the 1986 audited statements. *November 16, 1987.*
3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint

Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 1.

*Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend The Fire Department Act R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units. *To be debated on Thursday, November 26, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer. (Referred November 10, 1987.)*

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin. (Referred November 9, 1987.)*

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft. (Referred November 9, 1987.)*

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens. (Referred November 9, 1987.)*

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell. (Referred November 17, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walker-ville). (Referred November 10, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

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### BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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No. 9

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Thursday, November 19, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.*
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

9. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand). PRINTED.*
10. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*
11. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître. PRINTED.*



12. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaitre*. **PRINTED.**
  13. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaitre*. **PRINTED.**
  14. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye*. **PRINTED.**
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

15. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
  16. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
  17. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
  18. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
  19. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
  20. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
  21. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
  22. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
  23. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
  24. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.*
  25. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*
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## NOTICES

## GOVERNMENT MOTION

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
-

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
  2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
  3. *Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units.
  4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

---

1. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Colleges and Universities provide an up-to-date report on the use of the faculty renewal fund by the universities: especially, how many new faculty have been hired, how many new positions have been created, how many women are among the appointees, and what the overall increase in faculty numbers has been as a result of the faculty renewal program. *November 10, 1987.*
2. *Mr Johnston* (Scarborough West)—Enquiry of the Ministry—Would the Minister of Education provide data on the provincial general legislative grants to boards of education based on the 1986 audited statements. *November 16, 1987.*
3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint



Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item No. 1.

*Mr Faubert—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units. To be debated on Thursday, November 26, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

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Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

### BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)





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No. 10

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, November 23, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.*
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

9. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand). PRINTED.*
10. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*
11. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître. PRINTED.*

12. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*.  
**PRINTED.**
  13. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*. **PRINTED.**
  14. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye*. **PRINTED.**
  15. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*.
  16. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye*.
  17. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye*.
  18. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan*.
-

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

19. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
  20. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
  21. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
  22. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
  23. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
  24. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
  25. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
  26. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
  27. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
  28. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
  29. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
2. *Mr Conway*—Resolution—That the membership on the standing committees of the House for the 1st Session of the 34th Parliament be as follows:

#### Standing Committee on Administration of Justice:

Mr Callahan  
 Mr Chiarelli  
 Mr Cureatz  
 Mr Farnan  
 Mr Hampton  
 Ms Hart  
 Mr Kanter  
 Mr Keyes  
 Ms Poole  
 Mr Sola  
 Mr Sterling

#### Standing Committee on Finance and Economic Affairs:

Mr Cooke (Kitchener)  
 Mr Ferraro  
 Mr Haggerty  
 Mr Kozyra  
 Mr Mackenzie  
 Mr McCague  
 Mr Morin-Strom  
 Mr Neumann  
 Mr Nixon (York Mills)  
 Mr Pelissero  
 Mr Villeneuve

#### Standing Committee on General Government:

Mr Black  
 Ms Bryden  
 Mr Charlton  
 Mr Daigeler  
 Mr Mahoney  
 Mrs Marland  
 Mr Matrundola  
 Mr McLean

Mr Owen  
 Mr Ray (Windsor-Walkerville)  
 Mrs Stoner

**Standing Committee on Government Agencies:**

Mr Black  
 Mr Breaugh  
 Mr Dietsch  
 Mr Furlong  
 Mr Jackson  
 Mr McLean  
 Mr Lipsett  
 Miss Martel  
 Mr Runciman  
 Mr South  
 Mr Velshi

**Standing Committee on the Legislative Assembly:**

Mr Breaugh  
 Mr Cordiano  
 Mr Epp  
 Mr Faubert  
 Mr Johnson (Wellington)  
 Mr Morin  
 Mr Polsinelli  
 Mrs Sullivan  
 Mr Sterling  
 Mr Swart  
 Mr Van Horne

**Standing Committee on the Ombudsman:**

Mr Bossy  
 Mr Carrothers  
 Mr Charlton  
 Mr Elliot  
 Mr Henderson  
 Mr Lupusella  
 Mr MacDonald  
 Mr McLean  
 Miss Nicholas  
 Mr Philip (Etobicoke-Rexdale)  
 Mr Pollock

**Standing Committee on Public Accounts:**

Mr Ballinger  
 Mr Carrothers  
 Mr Dietsch



Mrs Fawcett  
 Miss Martel  
 Mr Offer  
 Mr Philip (Etobicoke-Rexdale)  
 Mr Pope  
 Mr Pouliot  
 Mr Runciman  
 Mr Smith (Lambton)

#### Standing Committee on Regulations and Private Bills:

Mr Beer  
 Mr Cleary  
 Mrs Fawcett  
 Mr Fleet  
 Mr McCague  
 Mr Pollock  
 Mr Pouliot  
 Mr Ruprecht  
 Mr Smith (Lambton)  
 Mr Sola  
 Mr Swart

#### Standing Committee on Resources Development:

Mr Brown  
 Ms Collins  
 Mrs Grier  
 Mr Laughren  
 Mr Leone  
 Mrs Marland  
 Mr Miller  
 Mr McGuigan  
 Mr Miclash  
 Mr Wildman  
 Mr Wiseman

#### Standing Committee on Social Development:

Mr Adams  
 Mr Allen  
 Mr Campbell  
 Mr Cousens  
 Mr Jackson  
 Mr Johnston (Scarborough West)  
 Mrs LeBourdais  
 Mr McClelland  
 Mr McGuinty  
 Mrs O'Neill (Ottawa-Rideau)  
 Mr Tatham.

3. *Mr Conway*—Resolution—That the following schedule for committee meetings be established for this Session: the Standing Committee on Administration of Justice may meet on Monday and Tuesday afternoons; the Standing Committee on Finance and Economic Affairs may meet on Thursday mornings; the Standing Committee on General Government may meet on Thursday mornings and afternoons; the Standing Committee on Government Agencies may meet on Wednesday mornings; the Standing Committee on the Legislative Assembly may meet on Wednesday afternoons; the Standing Committee on the Ombudsman may meet on Wednesday mornings; the Standing Committee on Public Accounts may meet on Thursday mornings; the Standing Committee on Regulations and Private Bills may meet on Wednesday mornings; the Standing Committee on Resources Development may meet on Monday, Wednesday and Thursday afternoons; and the Standing Committee on Social Development may meet on Monday, Tuesday and Thursday afternoons; and that no standing or select committee may meet when the House is in Session except in accordance with this schedule or as ordered by the House.
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
3. *Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
5. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:
  1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
  2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and

3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement.
  6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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1. *Mr Johnston (Scarborough West)*—Enquiry of the Ministry—Would the Minister of Colleges and Universities provide an up-to-date report on the use of the faculty renewal fund by the universities: especially, how many new faculty have been hired, how many new positions have been created, how many women are among the appointees, and what the overall increase in faculty numbers has been as a result of the faculty renewal program. *November 10, 1987.*
  
2. *Mr Johnston (Scarborough West)*—Enquiry of the Ministry—Would the Minister of Education provide data on the provincial general legislative grants to boards of education based on the 1986 audited statements. *November 16, 1987.*
  
3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint



Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*



15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987.*
  18. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) The names of persons the ministry has consulted including the organizations or businesses they represent, concerning changes in the system of allocating moose hunting licenses in Ontario next year; (2) A summary of the minutes of the meetings held in the eight regions of the province concerning this review. *November 23, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 1

*Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units. *To be debated on Thursday, November 26, 1987.*

### Ballot Item No. 2

*Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:

1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and
3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement. *To be debated on Thursday, November 26, 1987.*

### Ballot Item No. 3

*Second Reading Bill 24, An Act to establish a Tourism Advisory Board. Mr McLean. To be debated on Thursday, December 3, 1987.*

### Ballot Item No. 4

*Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. *To be debated on Thursday, December 3, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

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Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* (Referred November 9, 1987.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

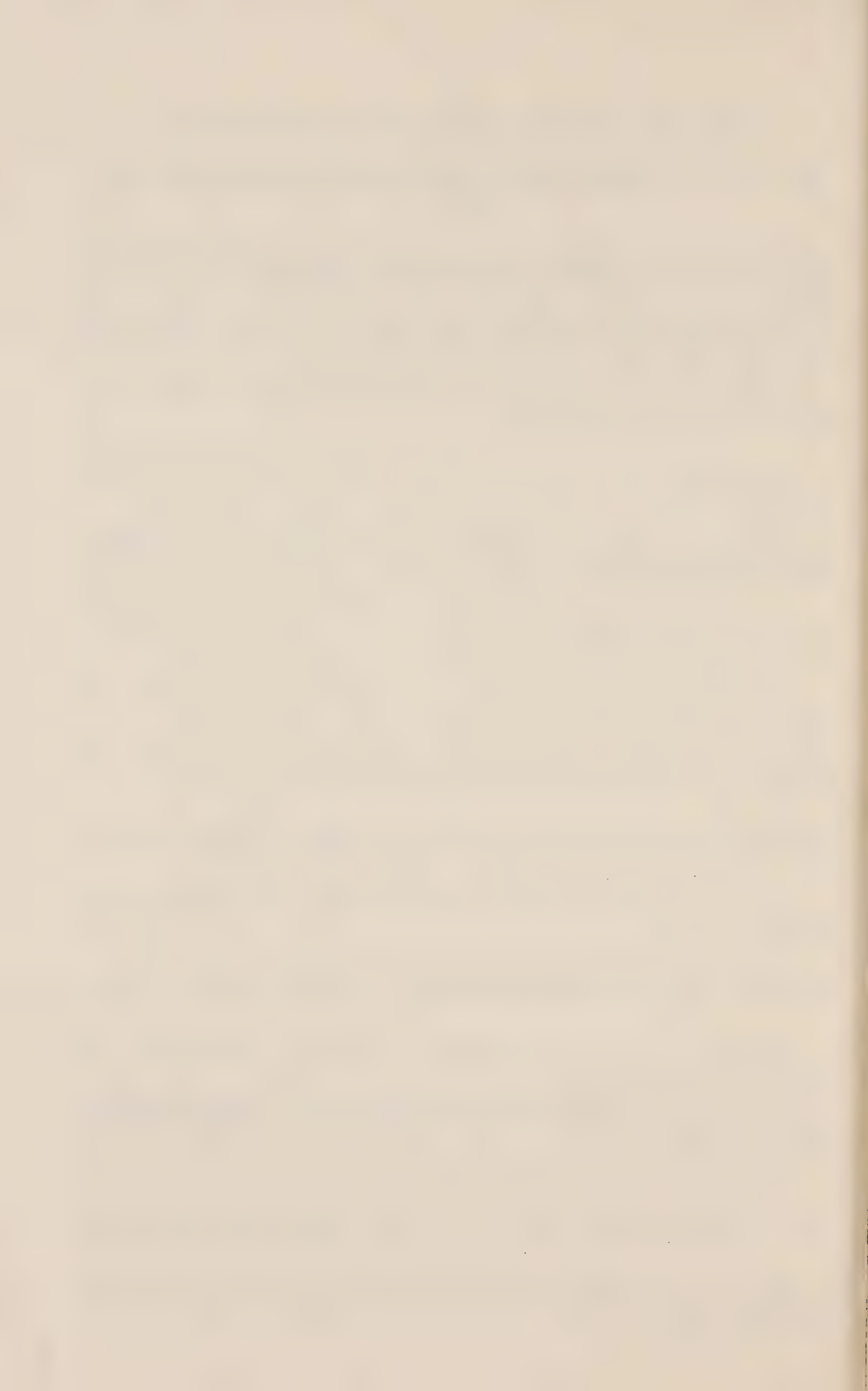
Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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### BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)



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No. 11

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Tuesday, November 24, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Resuming the Adjourned Debate* on the Amendment to the Motion for an Address in Reply to the Speech of His Honour the Lieutenant Governor at the Opening of the Session.
2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.\**
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

9. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand). PRINTED.\**
10. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*

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\*Lieutenant Governor's Recommendation received.



11. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître. PRINTED.\**
12. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître. PRINTED.\**
13. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître. PRINTED.\**
14. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye. PRINTED.*
15. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye. PRINTED.*
16. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye. PRINTED.*
17. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.*
18. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.*
19. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.*

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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

20. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
  21. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
  22. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
  23. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
  24. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
  25. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
  26. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
  27. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
  28. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
  29. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
  30. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
2. *Debated November 23, 1987.*
3. *Debated November 23, 1987.*
4. *Mr Conway*—Resolution—That an humble Address be presented to the Lieutenant Governor in Council as follows:—To the Lieutenant Governor in Council:—We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, request the appointment of Sidney Bryan Linden as Information and Privacy Commissioner for a term of 5 years, commencing on a date to be named by the Lieutenant Governor in Council, as provided in section 4 of the *Freedom of Information and Protection of Privacy Act, 1987*, S.O. 1987, c. 25; and, That this Address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.
5. *Mr Peterson*—Resolution—That a Select Committee on Constitutional Reform be appointed to consider and report on the 1987 Constitutional Accord, signed at Ottawa on June 3, 1987 and tabled in the House on November 23, 1987 (Sessional Paper No. 74), and matters related thereto; that the Committee submit its report to the Assembly before the end of the spring sitting of the 1st Session of this Parliament, provided that if the House is not sitting, the Committee have authority to release its report by depositing a copy of it with the Clerk of the Assembly and upon resumption of the sittings of the House, the Chairman of the Committee shall bring such report before the House in accordance with the Standing Orders; that the Committee have authority to sit concurrently with the House and during any adjournment of the House, subject to the approval of the three party Whips; and that a full *Hansard* service be provided for all of the proceedings of the Committee.
6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

## SCHEDULE

### CONSTITUTION AMENDMENT, 1987

#### Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpretation:*

"2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.



Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

Agreements

95B. (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

95C. (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

95D. Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

95E. An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

"General"

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

"Courts Established by the Parliament of Canada"

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:



*“Supreme Court of Canada”*

Supreme  
Court  
continued

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

101D. Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

101E. (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada.”

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

“106A. (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces.”

8. The said Act is further amended by adding thereto the following heading and sections:

#### “XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

#### XIII—REFERENCES

Reference  
includes  
amendments

149. A reference to this Act shall be deemed to include a reference to any amendments thereto.”

#### *Constitution Act, 1982*

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;
- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

10. Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“47. (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

13. Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;
- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”



15. Section 61 of the said Act is repealed and the following substituted therefor:

References “61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

### General

Multicultural heritage and aboriginal people 16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

### CITATION

Citation 17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

## MODIFICATION CONSTITUTIONNELLE DE 1987

*Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législature

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.



## Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«*Accords relatifs à l'immigration et aux aubains*»

## Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

## Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

95D. Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

95E. Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

101A. (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

101B. (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions de nomination	101C. (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.
Nomination parmi les personnes proposées	(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.
Nominaiton parmi les personnes proposées par le Québec	(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.
Nomination parmi les personnes proposées par les autres provinces	(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.
Inamovibilité, traitement, etc.	101D. Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.
Rapport avec l'article 101	101E. (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.
Renvois à la Cour suprême du Canada	(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»  7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:
Programmes cofinancés	«106A. (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.
Non-élargissement des compétences législatives	(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»  8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

- Convocation 148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

- Présomption 149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

- Compensation «40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

- Consentement unanime 41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;
- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;



- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

11. Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«46. (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

12. Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«47. (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

13. La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

50. (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

b) les rôles et les responsabilités en matière de pêches;

c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
3. *Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
5. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:
  1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
  2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and

3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement.
  6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987.*
  18. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) The names of persons the ministry has consulted including the organizations or businesses they represent, concerning changes in the system of allocating moose hunting licenses in Ontario next year; (2) A summary of the minutes of the meetings held in the eight regions of the province concerning this review. *November 23, 1987.*
  19. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) What was the exact role of the ministry staff in Operation Falcon; (2) What was the total cost to Ontario taxpayers for provincial participation in this operation; (3) What were the total man hours expended by ministry staff on this operation. *November 24, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 1

*Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units. *To be debated on Thursday, November 26, 1987.*

### Ballot Item No. 2

*Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:

1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and
3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement. *To be debated on Thursday, November 26, 1987.*

### Ballot Item No. 3

*Second Reading Bill 24, An Act to establish a Tourism Advisory Board. Mr McLean. To be debated on Thursday, December 3, 1987.*

### Ballot Item No. 4

*Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. *To be debated on Thursday, December 3, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* (Referred November 9, 1987.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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### BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)



**COMMITTEE MEETING**

The Standing Committee on the Legislative Assembly will meet for the purpose of organization and to consider a request for the shared use of the ONT PARL transponder by the Whipper Watson CAT Scan Telethon and the proposed re-organization of the Office of the Assembly, as follows:

Wednesday, Nov. 24      following Routine Proceedings      Committee Room No. 1

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No. 12

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Wednesday, November 25, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. IMPRIMÉ.*

2. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand). PRINTED.\**
3. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott. PRINTED.*
4. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott. PRINTED.*
5. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott. PRINTED.*
6. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott. IMPRIMÉ.*

7. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott. PRINTED.*

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott. IMPRIMÉ.*

8. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand). PRINTED.\**
9. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott. PRINTED.*
10. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître. PRINTED.\**

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\*Lieutenant Governor's Recommendation received.



11. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaitre*. **PRINTED.\***
  12. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaitre*. **PRINTED.\***
  13. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye*. **PRINTED.**
  14. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*. **PRINTED.**
  15. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye*. **PRINTED.**
  16. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye*. **PRINTED.**
  17. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan*. **PRINTED.**
  18. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins*.
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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

19. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
20. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
21. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
22. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
23. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
24. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
25. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
26. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
27. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
28. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
29. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**
30. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.*
31. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
32. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.*
33. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.*
34. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.*

35. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.*
  36. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.*
  37. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  38. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  39. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  40. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  41. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  42. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  43. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  44. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  45. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.*
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## NOTICES

### GOVERNMENT MOTIONS

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
4. *Debated November 24, 1987.*
5. *Mr Peterson*—Resolution—That a Select Committee on Constitutional Reform be appointed to consider and report on the 1987 Constitutional Accord, signed at Ottawa on June 3, 1987 and tabled in the House on November 23, 1987 (Sessional Paper No. 74), and matters related thereto; that the Committee submit its report to the Assembly before the end of the spring sitting of the 1st Session of this Parliament, provided that if the House is not sitting, the Committee have authority to release its report by depositing a copy of it with the Clerk of the Assembly and upon resumption of the sittings of the House, the Chairman of the Committee shall bring such report before the House in accordance with the Standing Orders; that the Committee have authority to sit concurrently with the House and during any adjournment of the House, subject to the approval of the three party Whips; and that a full *Hansard* service be provided for all of the proceedings of the Committee.
6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclama-



tion issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

## SCHEDULE

### CONSTITUTION AMENDMENT,\* 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpretation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.



Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*"Agreements on Immigration and Aliens*

Commitment  
to negotiate

**95A.** The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor

General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1).”

**4.** The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

**5.** The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

**6.** The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to

the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

“**106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces.”

8. The said Act is further amended by adding thereto the following heading and sections:

## “XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

## XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

### *Constitution Act, 1982*

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;



- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;
- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part."

10. Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

"44. Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

11. Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

"46. (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

12. Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

"47. (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."



13. Part VI of the said Act is repealed and the following substituted thereof:

“PART VI

CONSTITUTIONAL CONFERENCES

Constitutional  
conference

50. (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each province shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;
- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législature

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

Engagement

**95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

**95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Par-

lement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»



4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.



Nominaiton  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovi-  
bilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

## «XII.—CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres

provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

### XIII.—MENTIONS

**Présomption**      **149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

**9.** Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

**Compensation**

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

**Consentement  
unanime**

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;
- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
3. *Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
5. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:
  1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
  2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and



3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement.

6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.

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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987.*
  
  18. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) The names of persons the ministry has consulted including the organizations or businesses they represent, concerning changes in the system of allocating moose hunting licenses in Ontario next year; (2) A summary of the minutes of the meetings held in the eight regions of the province concerning this review. *November 23, 1987.*
  
  19. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) What was the exact role of the ministry staff in Operation Falcon; (2) What was the total cost to Ontario taxpayers for provincial participation in this operation; (3) What were the total man hours expended by ministry staff on this operation. *November 24, 1987.*
  
  20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 1

*Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units. *To be debated on Thursday, November 26, 1987.*

### Ballot Item No. 2

*Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:

1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and
3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement. *To be debated on Thursday, November 26, 1987.*

### Ballot Item No. 3

*Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean. To be debated on Thursday, December 3, 1987.*

### Ballot Item No. 4

*Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. *To be debated on Thursday, December 3, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* (Referred November 9, 1987.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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### BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)

## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet for the purpose of organization as follows:

Thursday, November 26	10.00 a.m.	Room No. 228
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The Standing Committee on General Government will meet for the purpose of organization as follows:

Thursday, November 26	11.00 a.m.	Committee Room No. 1
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The Standing Committee on Government Agencies will meet for the purpose of organization as follows:

Today	10.00 a.m.	Committee Room No. 1
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The Standing Committee on the Legislative Assembly will meet for the purpose of organization and to consider a request for the shared use of the ONT PARL transponder by the Whipper Watson CAT Scan Telethon and the proposed re-organization of the Office of the Assembly, as follows:

Today	following Routine Proceedings	Committee Room No. 1
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The Standing Committee on Public Accounts will meet for the purpose of organization as follows:

Thursday, November 26	10.00 a.m.	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet for the purpose of organization as follows:

Today	10.00 a.m.	Committee Room No. 2
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The Standing Committee on Social Development will meet for the purpose of organization as follows:

Thursday, November 26	following Routine Proceedings	Committee Room No. 1
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No. 13

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Thursday, November 26, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* **IMPRIMÉ.**

2. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand).* **PRINTED.\***
3. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
5. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
6. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

7. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

8. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).* **PRINTED.\***
9. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
10. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

11. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.* **PRINTED.\***
12. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.* **PRINTED.\***
13. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
14. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.* **PRINTED.**
15. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
16. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
17. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
18. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
19. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*
20. *Resuming the Adjourned Debate* on the Motion for the appointment of a Select Committee on Constitutional Reform.

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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

21. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
22. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
23. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
24. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
25. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
26. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
27. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
28. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
29. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
30. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
31. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**
32. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.*
33. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
34. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.*
35. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.*
36. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.*



37. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.*
  38. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.*
  39. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  40. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  41. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  42. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  43. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  44. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  45. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  46. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  47. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.*
  48. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.*
  49. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.*
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## NOTICES

### GOVERNMENT MOTIONS

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
5. *Debated November 25, 1987.*
6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

## SCHEDULE

## CONSTITUTION AMENDMENT, 1987

## Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*"Agreements on Immigration and Aliens*

Commitment  
to negotiate

**95A.** The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.



Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1).”

**4.** The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

**5.** The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

**6.** The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court estab-



lished by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

**7.** The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial

jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces.”

8. The said Act is further amended by adding thereto the following heading and sections:

## “XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

## XIII—REFERENCES

Reference  
includes  
amendments

149. A reference to this Act shall be deemed to include a reference to any amendments thereto.”

## *Constitution Act, 1982*

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of

Senators by which the province was entitled to be represented on April 17, 1982;

- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;
- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

“PART VI  
CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;
- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

**14.** Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

**15.** Section 61 of the said Act is repealed and the following substituted therefor:

References

“**61.** A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

**16.** Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

**17.** This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;



que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).



Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'appli-

tion des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nominaiton  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du

Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«106A. (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropiée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;



- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;
- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si



cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

13. La partie VI de la même loi est abrogée et remplacée par ce qui suit:

«PARTIE VI

CONFÉRENCES CONSTITUTIONNELLES

Convocation **50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du jour (2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions «61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine multiculturel et peuples autochtones **16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

TITRE

Titre **17.** Titre de la présente modification: *Modification constitutionnelle de 1987*.

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
3. *Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
5. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:
  1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
  2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and

3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement.
  6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987.*
  
18. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) The names of persons the ministry has consulted including the organizations or businesses they represent, concerning changes in the system of allocating moose hunting licenses in Ontario next year; (2) A summary of the minutes of the meetings held in the eight regions of the province concerning this review. *November 23, 1987.*
  
19. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) What was the exact role of the ministry staff in Operation Falcon; (2) What was the total cost to Ontario taxpayers for provincial participation in this operation; (3) What were the total man hours expended by ministry staff on this operation. *November 24, 1987.*
  
20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987.*
  
21. *Mrs Marland*—Enquiry of the Ministry—Would each Minister provide a report on the percentage of recycled paper used by the Ministry, including a report on the cost of total paper supplies, the number of publications produced by the Ministry in 1986/87 over 10 pages, the number of publications produced by the Ministry in 1986/87 under 10 pages, the number of brochures and information packages, and the percentage of these publications produced using recycled paper. *November 26, 1987.*
  
22. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation provide the tendered prices for advertising contracts submitted by: Camp Associates Advertising Ltd., Cossette Communication-Marketing, MacLaren Advertising and Vickers and Benson. *November 26, 1987.*



## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 1

*Mr Faubert*—Resolution—That, in the opinion of this House, the Government of Ontario, should amend the Fire Department Act, R.S.O. 1980, regarding and related to management rights and structure; reform of the arbitration process; makeup of bargaining units; and the revision of definitions within fire departments to improve administration of such departments, and labour relations between management and the bargaining units. *To be debated today.*

### Ballot Item No. 2

*Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the deplorable free trade agreement negotiated between the Government of Canada and the Government of the United States as a sell-out of Canada's sovereignty and independence and a threat to thousands of Canadian jobs, the Government of Ontario should ensure:

1. That the Government or Legislature, will not approve or implement any part of the agreement falling within provincial jurisdiction,
2. That the Government or Legislature, will not pass any laws, or orders-in-council, to comply with the agreement if the agreement is formally signed by the two federal governments, and approved by their respective national legislative bodies, and
3. That the Government and Legislature, will pursue every constitutional, legal and political channel to express its opposition to this free trade agreement. *To be debated today.*

### Ballot Item No. 3

*Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean. To be debated on Thursday, December 3, 1987.*

### Ballot Item No. 4

*Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. *To be debated on Thursday, December 3, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* (Referred November 9, 1987.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* (Referred November 25, 1987.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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**BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS**

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet for the purpose of organization as follows:

Today	10.00 a.m.	Room No. 228
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The Standing Committee on General Government will meet for the purpose of organization as follows:

Today	11.00 a.m.	Committee Room No. 1
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The Standing Committee on Public Accounts will meet for the purpose of organization as follows:

Today	10.00 a.m.	Room No. 151
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The Standing Committee on Social Development will meet for the purpose of organization as follows:

Today	following Routine Proceedings	Committee Room No. 1
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr13, An Act respecting Special Ability Riding Institute; Bill Pr69, An Act respecting the City of Windsor; Bill Pr7, An Act respecting the Driving School Association of Ontario; and Bill Pr12, An Act to revive the Centre for Educative Growth, as follows:

Wednesday, December 2	10.00 a.m.	Committee Room No. 1
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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Monday, November 30, 1987

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* **IMPRIMÉ.**

2. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon (Brant-Haldimand).* **PRINTED.\***
3. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
5. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
6. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

7. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

8. *Second Reading* Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).* **PRINTED.\***
9. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
10. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

11. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*. **PRINTED.\***
12. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*. **PRINTED.\***
13. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye*. **PRINTED.**
14. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*. **PRINTED.**
15. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye*. **PRINTED.**
16. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye*. **PRINTED.**
17. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan*. **PRINTED.**
18. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins*. **PRINTED.**
19. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*.
20. *Resuming the Adjourned Debate* on the Motion for the appointment of a Select Committee on Constitutional Reform.

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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

21. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
22. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
23. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
24. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
25. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
26. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
27. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
28. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
29. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
30. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
31. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**
32. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.*
33. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
34. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
35. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.*
36. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

37. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.*
  38. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
  39. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  40. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  41. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  42. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.*
  43. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  44. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  45. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  46. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.*
  47. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
  48. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.*
  49. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.*
  50. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.*
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## NOTICES

## GOVERNMENT MOTIONS

1. *Mr Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1987, and ending December 31, 1987, such payment to be charged to the proper appropriation following the voting of supply.
5. *Debated November 25 and 26, 1987.*
6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.



## SCHEDULE

## CONSTITUTION AMENDMENT, 1987

## Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*"Agreements on Immigration and Aliens*

Commitment  
to negotiate

**95A.** The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1)."

**4.** The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*"General"*

**5.** The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*"Courts Established by the Parliament of Canada"*

**6.** The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*"Supreme Court of Canada"*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court estab-

lished by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial



jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces.”

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

148. A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

149. A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“40. Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

41. An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of



Senators by which the province was entitled to be represented on April 17, 1982;

- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;
- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

“PART VI  
CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;
- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

**14.** Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

**15.** Section 61 of the said Act is repealed and the following substituted therefor:

References

“**61.** A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

**16.** Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

**17.** This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«*Accords relatifs à l'immigration et aux aubains*»

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.



Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'applica-



tion des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du

Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«106A. (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sment des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

#### «XII.—CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;
- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si

cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

«PARTIE VI

CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

TITRE

Titre

**17.** Titre de la présente modification: *Modification constitutionnelle de 1987*.



## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
  2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
  3. *Debated November 26, 1987.*
  4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
  5. *Debated November 26, 1987.*
  6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.
  7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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1. *Answered November 26, 1987.*
2. *Mr Johnston (Scarborough West)*—Enquiry of the Ministry—Would the Minister of Education provide data on the provincial general legislative grants to boards of education based on the 1986 audited statements. *November 16, 1987.*
3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their bud-

gets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*

16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*
  17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987.*
  18. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) The names of persons the ministry has consulted including the organizations or businesses they represent, concerning changes in the system of allocating moose hunting licenses in Ontario next year; (2) A summary of the minutes of the meetings held in the eight regions of the province concerning this review. *November 23, 1987.*
  19. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) What was the exact role of the ministry staff in Operation Falcon; (2) What was the total cost to Ontario taxpayers for provincial participation in this operation; (3) What were the total man hours expended by ministry staff on this operation. *November 24, 1987.*
  20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987.*
  21. *Mrs Marland*—Enquiry of the Ministry—Would each Minister provide a report on the percentage of recycled paper used by the Ministry, including a report on the cost of total paper supplies, the number of publications produced by the Ministry in 1986/87 over 10 pages, the number of publications produced by the Ministry in 1986/87 under 10 pages, the number of brochures and information packages, and the percentage of these publications produced using recycled paper. *November 26, 1987.*
  22. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation provide the tendered prices for advertising contracts submitted by: Camp Associates Advertising Ltd., Cossette Communication-Marketing, MacLaren Advertising and Vickers and Benson. *November 26, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Items Nos. 1 and 2. *Debated November 26, 1987.*

Ballot Item No. 3

*Second Reading Bill 24, An Act to establish a Tourism Advisory Board. Mr McLean. To be debated on Thursday, December 3, 1987.*

Ballot Item No. 4

*Mr Cleary—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. To be debated on Thursday, December 3, 1987.*

Ballot Item No. 7

*Mr Ray (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* (Referred November 9, 1987.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* (Referred November 25, 1987.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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**BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS**

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## COMMITTEE MEETINGS

The Standing Committee on Administration of Justice will meet for the purpose of organization as follows:

Tuesday, December 1      following Routine Proceedings      Committee Room No. 1

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The Standing Committee on Finance and Economic Affairs will meet as follows:

Thursday, December 3                      10.00 a.m.                      Committee Room No. 1

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The Standing Committee on the Legislative Assembly will meet as follows:

Wednesday, December 2                      3.45 p.m.                      Room No. 151

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The Standing Committee on the Ombudsman will meet for the purpose of organization as follows:

Wednesday, December 2                      10.00 a.m.                      Committee Room No. 1

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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr13, An Act respecting Special Ability Riding Institute; Bill Pr69, An Act respecting the City of Windsor; Bill Pr7, An Act respecting the Driving School Association of Ontario; and Bill Pr12, An Act to revive the Centre for Educative Growth, as follows:

Wednesday, December 2                      10.00 a.m.                      Room No. 151

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The Standing Committee on Resources Development will meet for the purpose of organization as follows:

Wednesday, December 2 following Routine Proceedings      Committee Room No. 1

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## ESTIMATES

<b>TOTAL HOURS FOR CONSIDERATION OF ALL ESTIMATES .....</b>	<b>420 hrs.</b>
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### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor, Premier and Cabinet Office .....	7 hrs., 30 mins.
2. Government Services .....	7 hrs., 30 mins.
3. Intergovernmental Affairs .....	7 hrs., 30 mins.
4. Management Board of Cabinet .....	7 hrs., 30 mins.
5. Revenue .....	7 hrs., 30 mins.
6. Francophone Affairs .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics .....	7 hrs., 30 mins.
2. Energy .....	7 hrs., 30 mins.
3. Attorney General .....	7 hrs., 30 mins.
4. Consumer and Commercial Relations .....	7 hrs., 30 mins.
5. Correctional Services .....	7 hrs., 30 mins.
6. Financial Institutions .....	7 hrs., 30 mins.
7. Office Responsible for Native Affairs .....	7 hrs., 30 mins.
8. Solicitor General .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour .....	7 hrs., 30 mins.
2. Northern Development .....	7 hrs., 30 mins.
3. Office Responsible for Women's Issues .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly .....	5 hrs.
2. Office of the Chief Election Officer .....	5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor ..... 5 hrs.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology ..... 7 hrs., 30 mins.
2. Housing ..... 7 hrs., 30 mins.
3. Environment ..... 7 hrs., 30 mins.
4. Agriculture and Food ..... 7 hrs., 30 mins.
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... 7 hrs., 30 mins.
2. Office Responsible for  
Disabled Persons ..... 7 hrs., 30 mins.
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.
7. Community and Social Services ..... 7 hrs., 30 mins.
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.







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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, December 1, 1987

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### THIRD READING

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Halidmand).\*

### GOVERNMENT BILLS AND ORDERS

2. *Second Reading* Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. **IMPRIMÉ.**

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). **PRINTED.\***

4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**

5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**

6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**

7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott*. **IMPRIMÉ.**

9. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott*. **PRINTED.**

10. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*. **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

11. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaitre*. **PRINTED.\***
12. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaitre*. **PRINTED.\***
13. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye*. **PRINTED.**
14. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*. **PRINTED.**
15. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye*. **PRINTED.**
16. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye*. **PRINTED.**
17. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan*. **PRINTED.**
18. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins*. **PRINTED.**
19. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*. **PRINTED.**
20. *House in Committee of Supply.*

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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

21. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling*. **PRINTED.**
22. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve*. **PRINTED.**
23. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens*. **PRINTED.**
24. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden*. **PRINTED.**
25. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier*. **PRINTED.**
26. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier*. **PRINTED.**
27. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland*. **PRINTED.**
28. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**
29. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**
30. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock*. **PRINTED.**
31. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean*. **PRINTED.**
32. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie*. **PRINTED.**
33. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie*. **PRINTED.**
34. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie*. **PRINTED.**
35. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie*. **PRINTED.**
36. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie*. **PRINTED.**



37. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
  38. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
  39. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  40. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  41. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  42. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  43. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  44. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  45. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  46. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  47. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
  48. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
  49. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
  50. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

1. *Debated November 30, 1987.*
5. *Debated November 25, 26 and 30, 1987.*
6. *Mr. Peterson—Resolution—WHEREAS the Constitution Act, 1982 came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;*

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation:

**“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with**

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

**2.** The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

**“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.**

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

**3.** The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

**95A.** The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relat-

ing to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.



Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar



of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

**7.** The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

9. Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;
- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part."

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

**"44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

**"46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

**"47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### "PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

## Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;
- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

**14.** Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

**15.** Section 61 of the said Act is repealed and the following substituted therefor:

## References

“**61.** A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

## General

Multicultural  
heritage and  
aboriginal  
people

**16.** Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

## CITATION

## Citation

**17.** This amendment may be cited as the *Constitution Amendment, 1987*.

## M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;



que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des pro-



vinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«Accords relatifs à l'immigration et aux aubains»

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application relative aux accords

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation relative aux accords

95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des

résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
la *Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovi-  
bilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«106A. (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;



- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;
- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:



## «PARTIE VI

## CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

**17.** Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.
7. *Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;

2. halt all projected installations of supermailboxes;
  3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
  4. restore home delivery to all affected residences;
- and that this resolution be forwarded to the Parliament of Canada.
-

## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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21. *Mrs Marland*—Enquiry of the Ministry—Would each Minister provide a report on the percentage of recycled paper used by the Ministry, including a report on the cost of total paper supplies, the number of publications produced by the Ministry in 1986/87 over 10 pages, the number of publications produced by the Ministry in 1986/87 under 10 pages, the number of brochures and information packages, and the percentage of these publications produced using recycled paper. *November 26, 1987.*
22. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation provide the tendered prices for advertising contracts submitted by: Camp Associates Advertising Ltd., Cossette Communication-Marketing, MacLaren Advertising and Vickers and Benson. *November 26, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 3

*Second Reading* Bill 24, An Act to establish a Tourism Advisory Board.  
*Mr McLean.* To be debated on Thursday, December 3, 1987.

### Ballot Item No. 4

*Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. To be debated on Thursday, December 3, 1987.

### Ballot Item No. 5

*Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario.  
*Mrs Grier.* To be debated on Thursday, December 10, 1987.

### Ballot Item No. 6

*Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;
  2. halt all projected installations of supermailboxes;
  3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
  4. restore home delivery to all affected residences;
- and that this resolution be forwarded to the Parliament of Canada.

*To be debated on Thursday, December 10, 1987.*

### Ballot Item No. 7

*Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. To be debated on Thursday, December 17, 1987.



## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* (Referred November 9, 1987.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* (Referred November 25, 1987.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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**MATTER REFERRED TO SELECT COMMITTEE****SELECT COMMITTEE ON CONSTITUTIONAL REFORM**

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987*).

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**BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS**

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (*Referred November 9, 1987.*)

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## COMMITTEE MEETINGS

The Standing Committee on Administration of Justice will meet for the purpose of organization as follows:

Today following Routine Proceedings Committee Room No. 1

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The Standing Committee on Finance and Economic Affairs will meet as follows:

Thursday, December 3 10.00 a.m. Committee Room No. 1

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The Standing Committee on the Legislative Assembly will meet as follows:

Wednesday, December 2 3.45 p.m. Room No. 151

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The Standing Committee on the Ombudsman will meet for the purpose of organization as follows:

Wednesday, December 2 10.00 a.m. Committee Room No. 1

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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr13, An Act respecting Special Ability Riding Institute; Bill Pr69, An Act respecting the City of Windsor; Bill Pr7, An Act respecting the Driving School Association of Ontario; and Bill Pr12, An Act to revive the Centre for Educative Growth, as follows:

Wednesday, December 2 10.00 a.m. Room No. 151

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The Standing Committee on Resources Development will meet for the purpose of organization as follows:

Wednesday, December 2 following Routine Proceedings Committee Room No. 1

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 420 hrs.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor, Premier and Cabinet Office .....	7 hrs., 30 mins.
2. Government Services .....	7 hrs., 30 mins.
3. Intergovernmental Affairs .....	7 hrs., 30 mins.
4. Management Board of Cabinet .....	7 hrs., 30 mins.
5. Revenue .....	7 hrs., 30 mins.
6. Francophone Affairs .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics .....	7 hrs., 30 mins.
2. Energy .....	7 hrs., 30 mins.
3. Attorney General .....	7 hrs., 30 mins.
4. Consumer and Commercial Relations .....	7 hrs., 30 mins.
5. Correctional Services .....	7 hrs., 30 mins.
6. Financial Institutions .....	7 hrs., 30 mins.
7. Office Responsible for Native Affairs .....	7 hrs., 30 mins.
8. Solicitor General .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour .....	7 hrs., 30 mins.
2. Northern Development .....	7 hrs., 30 mins.
3. Office Responsible for Women's Issues .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly .....	5 hrs.
2. Office of the Chief Election Officer .....	5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor ..... 5 hrs.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology ..... 7 hrs., 30 mins.
2. Housing ..... 7 hrs., 30 mins.
3. Environment ..... 7 hrs., 30 mins.
4. Agriculture and Food ..... 7 hrs., 30 mins.
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... 7 hrs., 30 mins.
2. Office Responsible for  
Disabled Persons ..... 7 hrs., 30 mins.
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.
7. Community and Social Services ..... 7 hrs., 30 mins.
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.









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No. 16

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, December 2, 1987

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## THIRD READING

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Halidmand).\*

## GOVERNMENT BILLS AND ORDERS

2. *Resuming the Adjourned Debate* on the Motion for Second Reading of Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. **PRINTED.**

*Suite du débat ajourné* sur la motion de Deuxième lecture du Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. **IMPRIMÉ.**

3. *Second Reading* Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). **PRINTED.\***
4. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
5. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
6. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
7. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

8. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott*. **IMPRIMÉ.**

9. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott*. **PRINTED.**

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\*Lieutenant Governor's Recommendation received.



10. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître. PRINTED.\**
11. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître. PRINTED.\**
12. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître. PRINTED.\**
13. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye. PRINTED.*
14. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye. PRINTED.*
15. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye. PRINTED.*
16. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye. PRINTED.*
17. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan. PRINTED.*
18. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins. PRINTED.*
19. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins. PRINTED.*
20. *House in Committee of Supply.*

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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

21. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
22. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
23. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
24. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
25. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
26. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
27. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
28. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**
29. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**
30. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
31. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**
32. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
33. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
34. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
35. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**
36. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

37. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
  38. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
  39. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  40. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  41. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  42. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  43. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  44. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  45. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  46. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  47. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
  48. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
  49. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
  50. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
  51. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.*
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## NOTICES

### GOVERNMENT MOTION

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present



elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;



- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;



(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions	<p>«<b>25.</b> (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.</p>
Choix des sénateurs	<p>(2) Jusqu'à la modification, fait conformément à l'article 41 de la <i>Loi constitutionnelle de 1982</i>, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»</p> <p><b>3.</b> La même loi est modifiée par insertion, après l'article 95, de ce qui suit:</p> <p>«<i>Accords relatifs à l'immigration et aux aubains</i>»</p>
Engagement	<p><b>95A.</b> Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.</p>
Accords	<p><b>95B.</b> (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.</p>
Restriction	<p>(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.</p>
Application de la Charte	<p>(3) La <i>Charte canadienne des droits et libertés</i> s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.</p>
Proclamation relative aux accords	<p><b>95C.</b> (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.</p>
Modification des accords	<p>(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:</p>

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.



Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

**«106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.



Non-élargis-  
sment des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.
7. *Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;

2. halt all projected installations of supermailboxes;
  3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
  4. restore home delivery to all affected residences;
- and that this resolution be forwarded to the Parliament of Canada.
-



## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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21. *Mrs Marland*—Enquiry of the Ministry—Would each Minister provide a report on the percentage of recycled paper used by the Ministry, including a report on the cost of total paper supplies, the number of publications produced by the Ministry in 1986/87 over 10 pages, the number of publications produced by the Ministry in 1986/87 under 10 pages, the number of brochures and information packages, and the percentage of these publications produced using recycled paper. *November 26, 1987.*
  22. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation provide the tendered prices for advertising contracts submitted by: Camp Associates Advertising Ltd., Cossette Communication-Marketing, MacLaren Advertising and Vickers and Benson. *November 26, 1987.*
  23. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide the number of subsidized co-operative housing applications submitted from Simcoe County since July of 1985. *December 2, 1987.*
  24. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide a list of the subsidized co-operative housing applications approved for Simcoe County since July of 1985. *December 2, 1987.*
  25. *Mr McLean*—Enquiry of the Ministry—Would the Solicitor General provide a list of the coroners appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*
  26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*
  27. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends who have used government owned or leased aircraft since July of 1985. *December 2, 1987.*
  28. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the cost for printing the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
  29. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the tendered prices of four of the finalists applying for contracts to print the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 3

*Second Reading* Bill 24, An Act to establish a Tourism Advisory Board.  
*Mr McLean.* To be debated on Thursday, December 3, 1987.

## Ballot Item No. 4

*Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. To be debated on Thursday, December 3, 1987.

## Ballot Item No. 5

*Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario.  
*Mrs Grier.* To be debated on Thursday, December 10, 1987.

## Ballot Item No. 6

*Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;
2. halt all projected installations of supermailboxes;
3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

*To be debated on Thursday, December 10, 1987.*

## Ballot Item No. 7

*Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. To be debated on Thursday, December 17, 1987.

## Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* To be debated on Thursday, December 17, 1987.

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## BILLS REFERRED TO STANDING COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE  
BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* (Referred November 10, 1987.)

Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* (Referred November 9, 1987.)

Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* (Referred November 9, 1987.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* (Referred November 9, 1987.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* (Referred November 25, 1987.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* (Referred November 17, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). (Referred November 10, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (Referred by Order of the House on November 30, 1987).

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## MATTERS REFERRED TO STANDING COMMITTEES

(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet as follows:

Thursday, December 3	10.00 a.m.	Committee Room No. 1
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The Standing Committee on the Legislative Assembly will meet as follows:

Today	3.45 p.m.	Room No. 151
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The Standing Committee on the Ombudsman will meet for the purpose of organization as follows:

Today	10.00 a.m.	Committee Room No. 1
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr13, An Act respecting Special Ability Riding Institute; Bill Pr69, An Act respecting the City of Windsor; Bill Pr7, An Act respecting the Driving School Association of Ontario; and Bill Pr12, An Act to revive the Centre for Educative Growth, as follows:

Today	10.00 a.m.	Room No. 151
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The Standing Committee on Resources Development will meet for the purpose of organization as follows:

Today	following Routine Proceedings	Committee Room No. 1
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## ESTIMATES

**TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 420 hrs.**

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Treasury and Economics .....                   | 7 hrs., 30 mins. |
| 2. Energy .....                                   | 7 hrs., 30 mins. |
| 3. Attorney General .....                         | 7 hrs., 30 mins. |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins. |
| 5. Correctional Services .....                    | 7 hrs., 30 mins. |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins. |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins. |
| 8. Solicitor General .....                        | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 7 hrs., 30 mins. |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor ..... 5 hrs.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology ..... 7 hrs., 30 mins.
2. Housing ..... 7 hrs., 30 mins.
3. Environment ..... 7 hrs., 30 mins.
4. Agriculture and Food ..... 7 hrs., 30 mins.
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... 7 hrs., 30 mins.
2. Office Responsible for  
Disabled Persons ..... 7 hrs., 30 mins.
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.
7. Community and Social Services ..... 7 hrs., 30 mins.
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.







CANON  
x4  
-082

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Thursday, December 3, 1987

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## THIRD READING

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*

## GOVERNMENT BILLS AND ORDERS

2. *Resuming the Adjourned Debate* on the Motion for Second Reading of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). **PRINTED.\***
3. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
4. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
5. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
6. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

7. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott*. **IMPRIMÉ.**

8. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott*. **PRINTED.**
9. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*. **PRINTED.\***
10. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*. **PRINTED.\***
11. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*. **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

12. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
  13. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.* **PRINTED.**
  14. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
  15. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
  16. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
  17. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
  18. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.* **PRINTED.**
  19. *Second Reading* Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
  20. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.*
  21. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

22. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
23. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
24. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
25. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
26. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**
27. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
28. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
29. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
30. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
31. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
32. *Second Reading* Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**
33. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
34. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
35. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
36. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**
37. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

38. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
  39. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
  40. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  41. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  42. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  43. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
  44. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  45. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  46. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  47. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
  48. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
  49. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
  50. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
  51. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
  52. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.*
  53. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.*
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## PRIVATE BILLS

54. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
55. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
56. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville).
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## NOTICES

### GOVERNMENT MOTION

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpretation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

**95A.** The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

- Agreements**      **95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
- Limitation**      (2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
- Application of Charter**      (3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
- Proclamation relating to agreements**      **95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
- Amendment of agreements**      (2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.
- (a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or
- (b) in such other manner as is set out in the agreement.
- Application of sections 46 to 48 of *Constitution Act, 1982***      **95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
- Amendments to sections 95A to 95D or this section**      **95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the



amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where



the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;



que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:



## Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

## Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

## Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

## Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrèent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;



- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.



Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

**17.** Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
6. *Mr Cleary*—Resolution—That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries.
7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;

2. halt all projected installations of supermailboxes;
3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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21. *Mrs Marland*—Enquiry of the Ministry—Would each Minister provide a report on the percentage of recycled paper used by the Ministry, including a report on the cost of total paper supplies, the number of publications produced by the Ministry in 1986/87 over 10 pages, the number of publications produced by the Ministry in 1986/87 under 10 pages, the number of brochures and information packages, and the percentage of these publications produced using recycled paper. *November 26, 1987.*
  
22. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation provide the tendered prices for advertising contracts submitted by: Camp Associates Advertising Ltd., Cossette Communication-Marketing, MacLaren Advertising and Vickers and Benson. *November 26, 1987.*
  
23. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide the number of subsidized co-operative housing applications submitted from Simcoe County since July of 1985. *December 2, 1987.*
  
24. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide a list of the subsidized co-operative housing applications approved for Simcoe County since July of 1985. *December 2, 1987.*
  
25. *Mr McLean*—Enquiry of the Ministry—Would the Solicitor General provide a list of the coroners appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*
  
26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*
  
27. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends who have used government owned or leased aircraft since July of 1985. *December 2, 1987.*
  
28. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the cost for printing the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
  
29. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the tendered prices of four of the finalists applying for contracts to print the 1986 Ontario Hydro Annual Report. *December 2, 1987.*



30. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Treasury and Economics provide a detailed breakdown of the anticipated in-year expenditure savings and constraints referred to on page 50 of the Minister's 1987 budget document. Specifically itemizing, Ministry by Ministry, the anticipated in-year savings of \$275 million from budgeted operating expenditures and \$75 million from budgeted capital expenditures. *December 3, 1987.*
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987.*
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the re-enterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987.*
33. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the names of all universities and community colleges which, as of November 26, 1987, had been sent copies of Transitions brochures and application forms, along with the names of the individuals to whom these were sent, and the positions thereof. *December 3, 1987.*
34. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all purchases of refrigerators, microwave ovens and other appliances by FUTURES offices. *December 3, 1987.*
35. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all communications, both written and oral, taking place on or before November 30, 1987, between representatives of the Government and the federal Department of Employment and Immigration concerning the continuation of Unemployment Insurance benefits to Transitions participants, including the dates of such communications, the text(s) thereof (if written), the location(s) thereof (if oral), and the names and positions of the individuals involved. *December 3, 1987.*
36. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of FUTURES money allocations for 1987-88, including the amount(s) allocated to community colleges, the amount(s) allocated to Youth Employment Counselling Centres, the amount(s) allocated to other organizations, and a further breakdown for each group of the amount specifically allocated to each program and the amount allocated to administrative and other non-program costs. *December 3, 1987.*
37. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all Transitions monies spent as of December 1, 1987, including the amount allocated to institutions of learning involved in the retraining of participants, the amount allocated to employers involved



in the retraining of participants, and the amount allocated to administrative costs. *December 3, 1987.*

38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987.*
39. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in aggregate terms, the sources of primary income support for all Transitions participants as on December 1, 1987, including the number of participants whose primary source of income was Unemployment Insurance benefits, the number of participants whose primary source of income was social assistance in one form or another, the number of participants whose primary source of income was the Ontario Student Assistance Program, and the number of participants who were relying on some other source of income support. *December 3, 1987.*
40. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of the mid-year fiscal review of FUTURES allocations, including the names of delivery agents who said they did not require all FUTURES funds initially allocated and the amounts that were surplus, and the names of delivery agents who said that they would need additional funds and the amounts required. *December 3, 1987.*
41. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the dates final contracts for 1987 were sent to each of the Older Workers' Help Centres and the dates when they were returned. *December 3, 1987.*
42. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the amount of funds provided to each Older Workers' Help Centre from the Ministry since January 1, 1987, the date and amount of each disbursement and the arrangements for the disbursement of funds from the Ministry to the Centres as set out in each contract, and any correspondence authorizing changes to the contract disbursements. *December 3, 1987.*
43. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of all conversations between staff members of his Ministry and representatives of the Oakville 50 Plus Agency (Hopedale Mall) subsequent to 2.30 p.m., November 30, 1987, including the names and the positions of the persons involved, the relevant dates, the subject of the conversations and the results thereof. *December 3, 1987.*
44. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all visits he has made to Unemployed Older Workers' Help Centres between September 26, 1987 and December 1, 1987, including the names and locations of the centres visited, the dates thereof, and the time spent on each visit. *December 3, 1987.*

45. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all conversations held between him and representatives of Unemployed Older Workers' Help Centres between September 26, 1987 and December 1, 1987, including the names and positions of the persons with whom he met or made contact, the names and locations of the centres represented by such persons, and the dates of these conversations. *December 3, 1987.*
46. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of any and all changes to FUTURES allocations which, as of December 1, 1987, had resulted from information obtained by the mid-year review of FUTURES allocations for the current fiscal year. *December 3, 1987.*
47. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of the procedures which, as of December 1, 1987, had been established by the Ministry for ensuring compliance to the FUTURES guidelines. *December 3, 1987.*
48. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of comments contained on page 100 of the Annual Report of the Provincial Auditor for the year ended March 31, 1987, details of Ministry initiatives as of December 1, 1987 to ensure the verification of FUTURES eligibility data. *December 3, 1987.*
49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*
50. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been received as of November 30, 1987. *December 3, 1987.*
51. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been processed as of November 30, 1987. *December 3, 1987.*
52. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as on November 30, 1987, were participating in some form of retraining under the Transitions program. *December 3, 1987.*
53. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, had successfully completed some form of retraining under the Transitions program. *December 3, 1987.*

54. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of his comments in the Legislature on November 30, 1987 regarding federal responsibility for job training, an explanation of what he considers to be the role and responsibilities of the Government of Ontario (and in particular of the Ministry of Skills Development) with respect to the training and re-training of workers within the province. *December 3, 1987.*
55. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of individuals who, as of December 1, 1987, had been cut off Unemployment Insurance benefits while undergoing retraining under the Transitions program. *December 3, 1987.*
56. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Older Workers' Help Centres which, as of December 1, 1987, had informed the Ministry that under the matching funding formula they would not be able to survive the current fiscal year, the text of all communications between the Ministry and these centres as of December 1, 1987, and any results as of that same date. *December 3, 1987.*
57. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the statements contained on page 3 of the Transitions participant information brochure, a list of all Canada Employment Centres, Regional Apprenticeship offices, Ontario Help Centres and other community organizations which, as of December 1, 1987 had been sent copies of the Transitions brochure, and the dates of delivery thereof. *December 3, 1987.*
58. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the recommendations of his Ministry's discussion paper, *Training Women in the Workplace*, details of how the Ministry has, as of December 1, 1987, responded to each of the ten recommendations in the discussion paper, along with any results. *December 3, 1987.*
59. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which began operations since January 1, 1987, their sponsoring agencies, and which of them have received funding for FUTURES programs as of December 1, 1987. *December 3, 1987.*
60. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any changes to guidelines for the approval of FUTURES funding to Youth Employment Counselling Centres since January 12, 1987. *December 3, 1987.*
61. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any conversations which took place on or before December 1, 1987, between officials from his Ministry and officials from the Ministry of Colleges and Universities, and which concerned the application by Transitions participants for grants and/or loans under the Ontario Student Assistance Program, including the names and positions of

the individuals involved, the dates of the conversations, and any record(s) thereof. *December 3, 1987.*

62. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which he visited between September 26, 1987 and December 1, 1987, including the duration of his stay, the names and positions of the individuals contacted, and the date of each visit. *December 3, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 3

*Second Reading* Bill 24, An Act to establish a Tourism Advisory Board.  
*Mr McLean. To be debated today.*

## Ballot Item No. 4

*Mr Cleary—Resolution—*That, in the opinion of this House, recognizing that heritage buildings play an important role in reminding us of the dedication our forefathers had in establishing a country that differs from the United States, the government of Ontario should establish a Heritage Building Fund to be used to maintain heritage buildings in their original state for all to enjoy and that money for the Fund should be derived from the provincial lotteries. *To be debated today.*

## Ballot Item No. 5

*Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario.  
*Mrs Grier. To be debated on Thursday, December 10, 1987.*

## Ballot Item No. 6

*Mr Cousens—Resolution—*That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;
2. halt all projected installations of supermailboxes;
3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

*To be debated on Thursday, December 10, 1987.*

## Ballot Item No. 7

*Mr Ray (Windsor-Walkerville)—Resolution—*That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*



## Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. (Referred December 2, 1987).*

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. (Déféré le 2 décembre 1987).*

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer. (Referred November 10, 1987.)*

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens. (Referred November 9, 1987.)*

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan. (Referred November 25, 1987.)*

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell. (Referred November 17, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett. (Referred November 19, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp. (Referred November 19, 1987.)*

## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987).*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet as follows:

Today	10.00 a.m.	Committee Room No. 1
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr14, An Act respecting York Fire & Casualty Insurance Company; Bill Pr71, An Act respecting Conrad Grebel College; Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association; and Bill Pr8, An Act respecting the City of Toronto, as follows:

Wednesday, December 9	10.00 a.m.	Room No. 151
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## ESTIMATES

**TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 420 hrs.**

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor, Premier and Cabinet Office .....	7 hrs., 30 mins.
2. Government Services .....	7 hrs., 30 mins.
3. Intergovernmental Affairs .....	7 hrs., 30 mins.
4. Management Board of Cabinet .....	7 hrs., 30 mins.
5. Revenue .....	7 hrs., 30 mins.
6. Francophone Affairs .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics .....	7 hrs., 30 mins.
2. Energy .....	7 hrs., 30 mins.
3. Attorney General .....	7 hrs., 30 mins.
4. Consumer and Commercial Relations .....	7 hrs., 30 mins.
5. Correctional Services .....	7 hrs., 30 mins.
6. Financial Institutions .....	7 hrs., 30 mins.
7. Office Responsible for Native Affairs .....	7 hrs., 30 mins.
8. Solicitor General .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour .....	7 hrs., 30 mins.
2. Northern Development .....	7 hrs., 30 mins.
3. Office Responsible for Women's Issues .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly .....	5 hrs.
2. Office of the Chief Election Officer .....	5 hrs.



## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor ..... 5 hrs.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology ..... 7 hrs., 30 mins.
2. Housing ..... 7 hrs., 30 mins.
3. Environment ..... 7 hrs., 30 mins.
4. Agriculture and Food ..... 7 hrs., 30 mins.
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... 7 hrs., 30 mins.
2. Office Responsible for  
Disabled Persons ..... 7 hrs., 30 mins.
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.
7. Community and Social Services ..... 7 hrs., 30 mins.
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.

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GOVERNMENT  
Publications

No. 18

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario

**1st Session, 34th Parliament**  
Monday, December 7, 1987

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## THIRD READING

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*

## GOVERNMENT BILLS AND ORDERS

2. *Resuming the Adjourned Debate* on the Motion for Second Reading of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). **PRINTED.\***
3. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
4. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
5. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
6. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

7. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott*. **IMPRIMÉ.**

8. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott*. **PRINTED.**
9. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*. **PRINTED.\***
10. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*. **PRINTED.\***
11. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*. **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

12. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
  13. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.* **PRINTED.**
  14. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
  15. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
  16. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
  17. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
  18. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.* **PRINTED.**
  19. *Second Reading* Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.* **PRINTED.**
  20. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
  21. *Second Reading* Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
  22. *Second Reading* Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
  23. *Second Reading* Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*
  24. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

25. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

26. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

27. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

28. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

29. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

30. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**

31. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

32. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

33. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

34. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

35. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

36. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

37. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

38. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

39. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**



40. *Second Reading* Bill 34, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
41. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie. PRINTED.*
42. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie. PRINTED.*
43. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
44. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
45. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
46. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
47. *Second Reading* Bill 41, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
48. *Second Reading* Bill 42, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
49. *Second Reading* Bill 43, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
50. *Second Reading* Bill 44, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
51. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act.  
*Mr Cousens. PRINTED.*
52. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier. PRINTED.*
53. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves. PRINTED.*
54. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty. PRINTED.*
55. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. PRINTED.*
56. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.*

57. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.*
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### PRIVATE BILLS

58. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
59. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
60. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **PRINTED.**
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## NOTICES

### GOVERNMENT MOTION

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.



- Agreements**      **95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
- Limitation**      (2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
- Application of Charter**      (3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
- Proclamation relating to agreements**      **95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
- Amendment of agreements**      (2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.
- (a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or
- (b) in such other manner as is set out in the agreement.
- Application of sections 46 to 48 of *Constitution Act, 1982***      **95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
- Amendments to sections 95A to 95D or this section**      **95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the



amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

**7.** The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

**8.** The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;



(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;



que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

## Propositions

«**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

## Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

**3.** La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

## Engagement

**95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

## Accords

**95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.



Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;



- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
6. *Debated December 3, 1987.*
7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—
  1. immediately abandon its supermailbox program;
  2. halt all projected installations of supermailboxes;
  3. remove all supermailboxes at existing sites and to relandscape the area they occupied;

4. restore home delivery to all affected residences;
- and that this resolution be forwarded to the Parliament of Canada.
-

## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

### NOTE:

†Interim Answers to Questions 3 to 16 inclusive tabled November 30, 1987. Approximate date information available January 28, 1988.

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2. *Answered December 1, 1987.*
  
  3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*



8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*<sup>†</sup>
  
17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987. Interim Answer* tabled November 30, 1987. Approximate date information available January 29, 1988.
  
18. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) The names of persons the ministry has consulted including the organizations or businesses they represent, concerning changes in the system of allocating moose hunting licenses in Ontario next year; (2) A summary of the minutes of the meetings held in the eight regions of the province concerning this review. *November 23, 1987.*
  
19. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) What was the exact role of the ministry staff in Operation Falcon; (2) What was the total cost to Ontario taxpayers for provincial participation in this operation; (3) What were the total man hours expended by ministry staff on this operation. *November 24, 1987.*
  
20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987.*
  
21. *Mrs Marland*—Enquiry of the Ministry—Would each Minister provide a report on the percentage of recycled paper used by the Ministry, including a report on the cost of total paper supplies, the number of publications produced by the Ministry in 1986/87 over 10 pages, the number of publications produced by the Ministry in 1986/87 under 10 pages, the number of brochures and information packages, and the percentage of these publications produced using recycled paper. *November 26, 1987.*
  
22. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Tourism and Recreation provide the tendered prices for advertising contracts submitted by: Camp Associates Advertising Ltd., Cossette Communication-Marketing, MacLaren Advertising and Vickers and Benson. *November 26, 1987.*

23. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide the number of subsidized co-operative housing applications submitted from Simcoe County since July of 1985. *December 2, 1987.*
24. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide a list of the subsidized co-operative housing applications approved for Simcoe County since July of 1985. *December 2, 1987.*
25. *Mr McLean*—Enquiry of the Ministry—Would the Solicitor General provide a list of the coroners appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*
26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*
27. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends who have used government owned or leased aircraft since July of 1985. *December 2, 1987.*
28. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the cost for printing the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
29. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the tendered prices of four of the finalists applying for contracts to print the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
30. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Treasury and Economics provide a detailed breakdown of the anticipated in-year expenditure savings and constraints referred to on page 50 of the Minister's 1987 budget document. Specifically itemizing, Ministry by Ministry, the anticipated in-year savings of \$275 million from budgeted operating expenditures and \$75 million from budgeted capital expenditures. *December 3, 1987.*
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987.*
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the re-enterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987.*
33. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the names of all universities and community colleges



which, as of November 26, 1987, had been sent copies of Transitions brochures and application forms, along with the names of the individuals to whom these were sent, and the positions thereof. *December 3, 1987.*

34. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all purchases of refrigerators, microwave ovens and other appliances by FUTURES offices. *December 3, 1987.*
35. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all communications, both written and oral, taking place on or before November 30, 1987, between representatives of the Government and the federal Department of Employment and Immigration concerning the continuation of Unemployment Insurance benefits to Transitions participants, including the dates of such communications, the text(s) thereof (if written), the location(s) thereof (if oral), and the names and positions of the individuals involved. *December 3, 1987.*
36. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of FUTURES money allocations for 1987-88, including the amount(s) allocated to community colleges, the amount(s) allocated to Youth Employment Counselling Centres, the amount(s) allocated to other organizations, and a further breakdown for each group of the amount specifically allocated to each program and the amount allocated to administrative and other non-program costs. *December 3, 1987.*
37. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all Transitions monies spent as of December 1, 1987, including the amount allocated to institutions of learning involved in the retraining of participants, the amount allocated to employers involved in the retraining of participants, and the amount allocated to administrative costs. *December 3, 1987.*
38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987.*
39. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in aggregate terms, the sources of primary income support for all Transitions participants as of December 1, 1987, including the number of participants whose primary source of income was Unemployment Insurance benefits, the number of participants whose primary source of income was social assistance in one form or another, the number of participants whose primary source of income was the Ontario Student Assistance Program, and the number of participants who were relying on some other source of income support. *December 3, 1987.*
40. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of the mid-year fiscal review of FUTURES allocations, including the names of delivery agents who said they did not

require all FUTURES funds initially allocated and the amounts that were surplus, and the names of delivery agents who said that they would need additional funds and the amounts required. *December 3, 1987.*

41. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the dates final contracts for 1987 were sent to each of the Older Workers' Help Centres and the dates when they were returned. *December 3, 1987.*
42. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the amount of funds provided to each Older Workers' Help Centre from the Ministry since January 1, 1987, the date and amount of each disbursement and the arrangements for the disbursement of funds from the Ministry to the Centres as set out in each contract, and any correspondence authorizing changes to the contract disbursements. *December 3, 1987.*
43. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of all conversations between staff members of his Ministry and representatives of the Oakville 50 Plus Agency (Hopedale Mall) subsequent to 2.30 p.m., November 30, 1987, including the names and the positions of the persons involved, the relevant dates, the subject of the conversations and the results thereof. *December 3, 1987.*
44. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all visits he has made to Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and locations of the centres visited, the dates thereof, and the time spent on each visit. *December 3, 1987.*
45. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all conversations held between him and representatives of Unemployed Older Workers' Help Centres between September 26, 1987 and December 1, 1987, including the names and positions of the persons with whom he met or made contact, the names and locations of the centres represented by such persons, and the dates of these conversations. *December 3, 1987.*
46. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of any and all changes to FUTURES allocations which, as of December 1, 1987, had resulted from information obtained by the mid-year review of FUTURES allocations for the current fiscal year. *December 3, 1987.*
47. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of the procedures which, as of December 1, 1987, had been established by the Ministry for ensuring compliance to the FUTURES guidelines. *December 3, 1987.*



48. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of comments contained on page 100 of the Annual Report of the Provincial Auditor for the year ended March 31, 1987, details of Ministry initiatives as of December 1, 1987 to ensure the verification of FUTURES eligibility data. *December 3, 1987.*
49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*
50. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been received as of November 30, 1987. *December 3, 1987.*
51. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been processed as of November 30, 1987. *December 3, 1987.*
52. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as on November 30, 1987, were participating in some form of retraining under the Transitions program. *December 3, 1987.*
53. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, had successfully completed some form of retraining under the Transitions program. *December 3, 1987.*
54. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of his comments in the Legislature on November 30, 1987 regarding federal responsibility for job training, an explanation of what he considers to be the role and responsibilities of the Government of Ontario (and in particular of the Ministry of Skills Development) with respect to the training and re-training of workers within the province. *December 3, 1987.*
55. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of individuals who, as of December 1, 1987, had been cut off Unemployment Insurance benefits while undergoing retraining under the Transitions program. *December 3, 1987.*
56. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Older Workers' Help Centres which, as of December 1, 1987, had informed the Ministry that under the matching funding formula they would not be able to survive the current fiscal year, the text of all communications between the Ministry and these centres as of December 1, 1987, and any results as of that same date. *December 3, 1987.*

57. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the statements contained on page 3 of the Transitions participant information brochure, a list of all Canada Employment Centres, Regional Apprenticeship offices, Ontario Help Centres and other community organizations which, as of December 1, 1987 had been sent copies of the Transitions brochure, and the dates of delivery thereof. *December 3, 1987.*
58. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the recommendations of his Ministry's discussion paper, *Training Women in the Workplace*, details of how the Ministry has, as of December 1, 1987, responded to each of the ten recommendations in the discussion paper, along with any results. *December 3, 1987.*
59. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which began operations since January 1, 1987, their sponsoring agencies, and which of them have received funding for FUTURES programs as of December 1, 1987. *December 3, 1987.*
60. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any changes to guidelines for the approval of FUTURES funding to Youth Employment Counselling Centres since January 12, 1987. *December 3, 1987.*
61. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any conversations which took place on or before December 1, 1987, between officials from his Ministry and officials from the Ministry of Colleges and Universities, and which concerned the application by Transitions participants for grants and/or loans under the Ontario Student Assistance Program, including the names and positions of the individuals involved, the dates of the conversations, and any record(s) thereof. *December 3, 1987.*
62. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which he visited between September 29, 1987 and December 1, 1987, including the duration of his stay, the names and positions of the individuals contacted, and the date of each visit. *December 3, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Items No. 3 and 4. *Debated December 3, 1987.*

Ballot Item No. 5

*Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario.  
*Mrs Grier. To be debated on Thursday, December 10, 1987.*

Ballot Item No. 6

*Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;
2. halt all projected installations of supermailboxes;
3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

*To be debated on Thursday, December 10, 1987.*

Ballot Item No. 7

*Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*

Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. (Referred December 2, 1987).*

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. (Déféré le 2 décembre 1987).*

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer. (Referred November 10, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens. (Referred November 9, 1987.)*

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan. (Referred November 25, 1987.)*

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell. (Referred November 17, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett. (Referred November 19, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*



Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp. (Referred November 19, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987).*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Standing Committee on Administration of Justice will meet to consider the Estimates of the Ministry of Treasury and Economics as follows:

Today	following Routine Proceedings	Room No. 228
Tuesday, December 8	following Routine Proceedings	Room No. 228

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The Standing Committee on Finance and Economic Affairs will meet for the purpose of organization as follows:

Thursday, December 10	10.00 a.m.	Committee Room No. 1
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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Thursday, December 10	10.00 a.m. and following Routine Proceedings	Room No. 228 Room No. 228
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The Standing Committee on Government Agencies will meet as follows:

Wednesday, December 9	10.00 a.m.	Room No. 228
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The Standing Committee on the Legislative Assembly will meet to consider the proposed reorganization of the Office of the Legislative Assembly as follows:

Wednesday, December 9	3.30 p.m.	Room No. 151
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The Standing Committee on the Ombudsman will meet for the purpose of organization as follows:

Wednesday, December 9	9.00 a.m.	Committee Room No. 1
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The Standing Committee on Public Accounts will meet as follows:

Thursday, December 10	10.00 a.m.	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr14, An Act respecting York Fire & Casualty Insurance Company; Bill

Pr71, An Act respecting Conrad Grebel College; Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association; Bill Pr8, An Act respecting the City of Toronto; and to discuss Bill Pr7, An Act respecting the Driving School Association of Ontario, as follows:

Wednesday, December 9

10.00 a.m.

Room No. 151

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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Industry, Trade and Technology as follows:

Today	following Routine Proceedings	Committee Room No. 1
Wednesday, December 9	following Routine Proceedings	Committee Room No. 1
Thursday, December 10	following Routine Proceedings	Committee Room No. 1

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The Standing Committee on Social Development will meet to consider the Estimates of the Ministry of Skills Development as follows:

Today	following Routine Proceedings	Room No. 151
Tuesday, December 8	following Routine Proceedings	Room No. 151
Thursday, December 10	following Routine Proceedings	Room No. 151

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 420 hrs.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor, Premier and Cabinet Office .....	7 hrs., 30 mins.
2. Government Services .....	7 hrs., 30 mins.
3. Intergovernmental Affairs .....	7 hrs., 30 mins.
4. Management Board of Cabinet .....	7 hrs., 30 mins.
5. Revenue .....	7 hrs., 30 mins.
6. Francophone Affairs .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics .....	7 hrs., 30 mins.
2. Energy .....	7 hrs., 30 mins.
3. Attorney General .....	7 hrs., 30 mins.
4. Consumer and Commercial Relations .....	7 hrs., 30 mins.
5. Correctional Services .....	7 hrs., 30 mins.
6. Financial Institutions .....	7 hrs., 30 mins.
7. Office Responsible for Native Affairs .....	7 hrs., 30 mins.
8. Solicitor General .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour .....	7 hrs., 30 mins.
2. Northern Development .....	7 hrs., 30 mins.
3. Office Responsible for Women's Issues .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly .....	5 hrs.
2. Office of the Chief Election Officer .....	5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

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|----------------------------------|--------|
| 1. Office of the Ombudsman ..... | 5 hrs. |
|----------------------------------|--------|

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

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|---|--------|
| 1. Office of the Provincial Auditor ..... | 5 hrs. |
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## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

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|---|------------------|
| 1. Industry, Trade and Technology ..... | 7 hrs., 30 mins. |
| 2. Housing .....                        | 7 hrs., 30 mins. |
| 3. Environment .....                    | 7 hrs., 30 mins. |
| 4. Agriculture and Food .....           | 7 hrs., 30 mins. |
| 5. Mines .....                          | 7 hrs., 30 mins. |
| 6. Municipal Affairs .....              | 7 hrs., 30 mins. |
| 7. Natural Resources .....              | 7 hrs., 30 mins. |
| 8. Tourism and Recreation .....         | 7 hrs., 30 mins. |
| 9. Transportation .....                 | 7 hrs., 30 mins. |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

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|---|------------------|
| 1. Skills Development .....                                 | 7 hrs., 30 mins. |
| 2. Office Responsible for<br>Disabled Persons .....         | 7 hrs., 30 mins. |
| 3. Education .....  | 7 hrs., 30 mins. |
| 4. Office Responsible for<br>Senior Citizens' Affairs ..... | 7 hrs., 30 mins. |
| 5. Citizenship .....  | 7 hrs., 30 mins. |
| 6. Colleges and Universities .....                          | 7 hrs., 30 mins. |
| 7. Community and Social Services .....                      | 7 hrs., 30 mins. |
| 8. Culture and Communications .....                         | 7 hrs., 30 mins. |
| 9. Health .....   | 7 hrs., 30 mins. |







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Government  
Publications

No. 19

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, December 8, 1987

## THIRD READING

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*

## GOVERNMENT BILLS AND ORDERS

2. *Resuming the Adjourned Debate* on the Motion for Second Reading of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). **PRINTED.\***
3. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
4. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
5. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
6. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

7. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott*. **IMPRIMÉ.**

8. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott*. **PRINTED.**
9. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*. **PRINTED.\***
10. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*. **PRINTED.\***
11. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*. **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

12. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
13. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.* **PRINTED.**
14. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
15. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
16. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
17. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
18. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.* **PRINTED.\***
19. *Second Reading* Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.* **PRINTED.**
20. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
21. *Second Reading* Bill 54, An Act to amend the Theatres Act. *Mr Wrye.* **PRINTED.**
22. *Second Reading* Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.* **PRINTED.**
24. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.*
25. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.*
26. *House in Committee of Supply.*

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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 27. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean*.  
**PRINTED.**

28. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling*. **PRINTED.**

29. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve*. **PRINTED.**

30. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens*. **PRINTED.**

31. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden*. **PRINTED.**

32. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier*. **PRINTED.**

33. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier*. **PRINTED.**

34. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland*. **PRINTED.**

35. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**

36. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**

37. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock*. **PRINTED.**

38. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie*. **PRINTED.**

39. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie*. **PRINTED.**

40. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie*. **PRINTED.**

41. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie*. **PRINTED.**



42. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
43. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
44. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
45. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
46. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
47. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
48. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
49. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
50. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
51. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
52. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
54. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
55. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
56. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
57. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* **PRINTED.**
58. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.*

59. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.*
60. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.*
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#### PRIVATE BILLS

61. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
62. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
63. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **PRINTED.**
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## NOTICES

### GOVERNMENT MOTION

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpretation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.



- Agreements **95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
- Limitation (2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
- Application of Charter (3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
- Proclamation relating to agreements **95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
- Amendment of agreements (2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.
- (a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or
- (b) in such other manner as is set out in the agreement.
- Application of sections 46 to 48 of *Constitution Act, 1982* **95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
- Amendments to sections 95A to 95D or this section **95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the



amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

**“40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

**“44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

**“46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

**“47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;



(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;



que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

- Propositions      **«25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
- Choix des sénateurs      (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
- «Accords relatifs à l'immigration et aux aubains»*
- Engagement      **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
- Accords      **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
- Restriction      (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
- Application de la Charte      (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
- Proclamation relative aux accords      **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
- Modification des accords      (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.



Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;



- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—
  1. immediately abandon its supermailbox program;
  2. halt all projected installations of supermailboxes;
  3. remove all supermailboxes at existing sites and to relandscape the area they occupied;

4. restore home delivery to all affected residences;
- and that this resolution be forwarded to the Parliament of Canada.
-

## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

30. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Treasury and Economics provide a detailed breakdown of the anticipated in-year expenditure savings and constraints referred to on page 50 of the Minister's 1987 budget document. Specifically itemizing, Ministry by Ministry, the anticipated in-year savings of \$275 million from budgeted operating expenditures and \$75 million from budgeted capital expenditures. *December 3, 1987.*
  
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987.*
  
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the re-enterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987.*
  
33. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the names of all universities and community colleges which, as of November 26, 1987, had been sent copies of Transitions brochures and application forms, along with the names of the individuals to whom these were sent, and the positions thereof. *December 3, 1987.*
  
34. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all purchases of refrigerators, microwave ovens and other appliances by FUTURES offices. *December 3, 1987.*
  
35. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all communications, both written and oral, taking place on or before November 30, 1987, between representatives of the Government and the federal Department of Employment and Immigration concerning the continuation of Unemployment Insurance benefits to Transitions participants, including the dates of such communications, the text(s) thereof (if written), the location(s) thereof (if oral), and the names and positions of the individuals involved. *December 3, 1987.*
  
36. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of FUTURES money allocations for 1987-88, including the amount(s) allocated to community colleges, the amount(s) allocated to Youth Employment Counselling Centres, the amount(s) allocated to other organizations, and a further breakdown for each group of



the amount specifically allocated to each program and the amount allocated to administrative and other non-program costs. *December 3, 1987.*

37. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all Transitions monies spent as of December 1, 1987, including the amount allocated to institutions of learning involved in the retraining of participants, the amount allocated to employers involved in the retraining of participants, and the amount allocated to administrative costs. *December 3, 1987.*
38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987.*
39. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in aggregate terms, the sources of primary income support for all Transitions participants as of December 1, 1987, including the number of participants whose primary source of income was Unemployment Insurance benefits, the number of participants whose primary source of income was social assistance in one form or another, the number of participants whose primary source of income was the Ontario Student Assistance Program, and the number of participants who were relying on some other source of income support. *December 3, 1987.*
40. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of the mid-year fiscal review of FUTURES allocations, including the names of delivery agents who said they did not require all FUTURES funds initially allocated and the amounts that were surplus, and the names of delivery agents who said that they would need additional funds and the amounts required. *December 3, 1987.*
41. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the dates final contracts for 1987 were sent to each of the Older Workers' Help Centres and the dates when they were returned. *December 3, 1987.*
42. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the amount of funds provided to each Older Workers' Help Centre from the Ministry since January 1, 1987, the date and amount of each disbursement and the arrangements for the disbursement of funds from the Ministry to the Centres as set out in each contract, and any correspondence authorizing changes to the contract disbursements. *December 3, 1987.*
43. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of all conversations between staff members of his Ministry and representatives of the Oakville 50 Plus Agency (Hopedale Mall) subsequent to 2.30 p.m., November 30, 1987, including the names

and the positions of the persons involved, the relevant dates, the subject of the conversations and the results thereof. *December 3, 1987.*

44. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all visits he has made to Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and locations of the centres visited, the dates thereof, and the time spent on each visit. *December 3, 1987.*
45. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all conversations held between him and representatives of Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and positions of the persons with whom he met or made contact, the names and locations of the centres represented by such persons, and the dates of these conversations. *December 3, 1987.*
46. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of any and all changes to FUTURES allocations which, as of December 1, 1987, had resulted from information obtained by the mid-year review of FUTURES allocations for the current fiscal year. *December 3, 1987.*
47. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of the procedures which, as of December 1, 1987, had been established by the Ministry for ensuring compliance to the FUTURES guidelines. *December 3, 1987.*
48. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of comments contained on page 100 of the Annual Report of the Provincial Auditor for the year ended March 31, 1987, details of Ministry initiatives as of December 1, 1987 to ensure the verification of FUTURES eligibility data. *December 3, 1987.*
49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*
50. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been received as of November 30, 1987. *December 3, 1987.*
51. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been processed as of November 30, 1987. *December 3, 1987.*

52. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, were participating in some form of retraining under the Transitions program. *December 3, 1987.*
53. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, had successfully completed some form of retraining under the Transitions program. *December 3, 1987.*
54. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of his comments in the Legislature on November 30, 1987 regarding federal responsibility for job training, an explanation of what he considers to be the role and responsibilities of the Government of Ontario (and in particular of the Ministry of Skills Development) with respect to the training and re-training of workers within the province. *December 3, 1987.*
55. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of individuals who, as of December 1, 1987, had been cut off Unemployment Insurance benefits while undergoing retraining under the Transitions program. *December 3, 1987.*
56. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Older Workers' Help Centres which, as of December 1, 1987, had informed the Ministry that under the matching funding formula they would not be able to survive the current fiscal year, the text of all communications between the Ministry and these centres as of December 1, 1987, and any results as of that same date. *December 3, 1987.*
57. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the statements contained on page 3 of the Transitions participant information brochure, a list of all Canada Employment Centres, Regional Apprenticeship offices, Ontario Help Centres and other community organizations which, as of December 1, 1987 had been sent copies of the Transitions brochure, and the dates of delivery thereof. *December 3, 1987.*
58. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the recommendations of his Ministry's discussion paper, *Training Women in the Workplace*, details of how the Ministry has, as of December 1, 1987, responded to each of the ten recommendations in the discussion paper, along with any results. *December 3, 1987.*
59. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which began operations since January 1, 1987, their sponsoring agencies, and which of them have received funding for FUTURES programs as of December 1, 1987. *December 3, 1987.*



60. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any changes to guidelines for the approval of FUTURES funding to Youth Employment Counselling Centres since January 12, 1987. *December 3, 1987.*
  61. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any conversations which took place on or before December 1, 1987, between officials from his Ministry and officials from the Ministry of Colleges and Universities, and which concerned the application by Transitions participants for grants and/or loans under the Ontario Student Assistance Program, including the names and positions of the individuals involved, the dates of the conversations, and any record(s) thereof. *December 3, 1987.*
  62. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which he visited between September 29, 1987 and December 1, 1987, including the duration of his stay, the names and positions of the individuals contacted, and the date of each visit. *December 3, 1987.*
  63. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Health provide the cost of the Powell Report on Therapeutic Abortion Services in Ontario and a breakdown of the costs. *December 8, 1987.*
  64. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each month between January, 1987 and September, 1987 inclusive. *December 8, 1987.*
  65. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each of the months of October, 1987 and November, 1987. *December 8, 1987.*
  66. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide a breakdown of the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersections of Front Street West and Spadina Avenue in Toronto between January 1, 1987 and September 30, 1987, indicating the number of notices served to drivers of taxi cabs, the number of notices served to drivers of buses, the number of notices served to drivers of police vehicles, the number of notices served to drivers of trucks and other commercial vehicles, and the number of notices served to drivers of private, non-commercial vehicles. *December 8, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 5

*Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario.  
*Mrs Grier. To be debated on Thursday, December 10, 1987.*

### Ballot Item No. 6

*Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;
2. halt all projected installations of supermailboxes;
3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

*To be debated on Thursday, December 10, 1987.*

### Ballot Item No. 7

*Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*

### Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott. (Referred December 2, 1987).*

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott. (Déféré le 2 décembre 1987).*

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer. (Referred November 10, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breagh. (Referred December 3, 1987.)*

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens. (Referred November 9, 1987.)*

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan. (Referred November 25, 1987.)*

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell. (Referred November 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett. (Referred November 19, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp. (Referred November 19, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987).*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Select Committee on Constitutional Reform will meet for the purpose of organization as follows:

Today	following Routine Proceedings	Committee Room No. 1
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The Standing Committee on Administration of Justice will meet to consider the Estimates of the Ministry of Treasury and Economics as follows:

Today	following Routine Proceedings	Room No. 228
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The Standing Committee on Finance and Economic Affairs will meet for the purpose of organization as follows:

Thursday, December 10	10.00 a.m.	Committee Room No. 1
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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Thursday, December 10	10.00 a.m.	Room No. 228
	following Routine Proceedings	Room No. 228

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The Standing Committee on Government Agencies will meet as follows:

Wednesday, December 9	10.00 a.m.	Room No. 228
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The Standing Committee on the Legislative Assembly will meet to consider the proposed reorganization of the Office of the Legislative Assembly as follows:

Wednesday, December 9	3.30 p.m.	Room No. 151
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The Standing Committee on the Ombudsman will meet for the purpose of organization as follows:

Wednesday, December 9	9.00 a.m.	Committee Room No. 1
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The Standing Committee on Public Accounts will meet as follows:

Thursday, December 10	10.00 a.m.	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr14, An Act respecting the York Fire & Casualty Insurance Company; Bill Pr71, An Act respecting Conrad Grebel College; Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association; Bill Pr8, An Act respecting the City of Toronto; and to discuss Bill Pr7, An Act respecting the Driving School Association of Ontario, as follows:

Wednesday, December 9	10.00 a.m.	Room No. 151
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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Industry, Trade and Technology as follows:

Wednesday, December 9	following Routine Proceedings	Committee Room No. 1
Thursday, December 10	following Routine Proceedings	Committee Room No. 1

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The Standing Committee on Social Development will meet to consider the Estimates of the Ministry of Skills Development as follows:

Today	following Routine Proceedings	Room No. 151
Thursday, December 10	following Routine Proceedings	Room No. 151

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## ESTIMATES

**TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 420 hrs., 42 mins.**

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor, Premier and Cabinet Office .....	7 hrs., 30 mins.
2. Government Services .....	7 hrs., 30 mins.
3. Intergovernmental Affairs .....	7 hrs., 30 mins.
4. Management Board of Cabinet .....	7 hrs., 30 mins.
5. Revenue .....	7 hrs., 30 mins.
6. Francophone Affairs .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics (Adjourned at Vote 3701, Item 1) .....	5 hrs., 05 mins.
2. Energy .....	7 hrs., 30 mins.
3. Attorney General .....	7 hrs., 30 mins.
4. Consumer and Commercial Relations .....	7 hrs., 30 mins.
5. Correctional Services .....	7 hrs., 30 mins.
6. Financial Institutions .....	7 hrs., 30 mins.
7. Office Responsible for Native Affairs .....	7 hrs., 30 mins.
8. Solicitor General .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour .....	7 hrs., 30 mins.
2. Northern Development .....	7 hrs., 30 mins.
3. Office Responsible for Women's Issues .....	7 hrs., 30 mins.

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly .....	5 hrs.
2. Office of the Chief Election Officer .....	5 hrs.



## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor ..... 5 hrs.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology  
(Adjourned at Vote 1901, Item 1) ..... 5 hrs., 07 mins.
2. Housing ..... 7 hrs., 30 mins.
3. Environment ..... 7 hrs., 30 mins.
4. Agriculture and Food ..... 7 hrs., 30 mins.
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development  
(Adjourned at Vote 3301, Item 1) ..... 5 hrs., 00 mins.
2. Office Responsible for  
Disabled Persons ..... 7 hrs., 30 mins.
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.
7. Community and Social Services ..... 7 hrs., 30 mins.
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.



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No. 20

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, December 9, 1987

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## THIRD READING

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*

## GOVERNMENT BILLS AND ORDERS

2. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
3. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
4. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
5. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

6. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott*. **IMPRIMÉ.**

7. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott*. **PRINTED.**
8. *Second Reading* Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*. **PRINTED.\***
9. *Second Reading* Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*. **PRINTED.\***
10. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*. **PRINTED.\***
11. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye*. **PRINTED.**
12. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*. **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

13. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
14. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
15. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
16. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
17. *Second Reading* Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.* **PRINTED.\***
18. *Second Reading* Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.* **PRINTED.**
19. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 54, An Act to amend the Theatres Act. *Mr Wrye.* **PRINTED.**
21. *Second Reading* Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.* **PRINTED.**
22. *Second Reading* Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.*
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.*
26. *House in Committee of Supply.*

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\*Lieutenant Governor's Recommendation received.



## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

27. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

28. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

29. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

30. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

31. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

32. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**

33. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

34. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

35. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

36. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

37. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

38. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

39. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

40. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

41. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

42. *Second Reading* Bill 34, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
43. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie. PRINTED.*
44. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie. PRINTED.*
45. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
46. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
47. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
48. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
49. *Second Reading* Bill 41, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
50. *Second Reading* Bill 42, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
51. *Second Reading* Bill 43, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
52. *Second Reading* Bill 44, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
53. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act.  
*Mr Cousens. PRINTED.*
54. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier. PRINTED.*
55. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves. PRINTED.*
56. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty. PRINTED.*
57. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. PRINTED.*
58. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman. PRINTED.*

59. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
60. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
61. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.*
62. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.*
63. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.*
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#### PRIVATE BILLS

64. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
65. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
66. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **PRINTED.**
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## NOTICES

### GOVERNMENT MOTION

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present



elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

#### *“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.



## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;



- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;



(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

**14.** Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

**15.** Section 61 of the said Act is repealed and the following substituted therefor:

References

“**61.** A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

**16.** Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

**17.** This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

- Propositions      «**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
- Choix des sénateurs      (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
- «*Accords relatifs à l'immigration et aux aubains*»
- Engagement      **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
- Accords      **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
- Restriction      (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
- Application de la Charte      (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
- Proclamation relative aux accords      **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
- Modification des accords      (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.



Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.



Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—
  1. immediately abandon its supermailbox program;
  2. halt all projected installations of supermailboxes;
  3. remove all supermailboxes at existing sites and to relandscape the area they occupied;

4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

30. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Treasury and Economics provide a detailed breakdown of the anticipated in-year expenditure savings and constraints referred to on page 50 of the Minister's 1987 budget document. Specifically itemizing, Ministry by Ministry, the anticipated in-year savings of \$275 million from budgeted operating expenditures and \$75 million from budgeted capital expenditures. *December 3, 1987.*
  
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987.*
  
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the renterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987. Interim Answer tabled December 8, 1987. Approximate date information available January 27, 1988.*
  
33. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the names of all universities and community colleges which, as of November 26, 1987, had been sent copies of Transitions brochures and application forms, along with the names of the individuals to whom these were sent, and the positions thereof. *December 3, 1987.*
  
34. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all purchases of refrigerators, microwave ovens and other appliances by FUTURES offices. *December 3, 1987.*
  
35. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all communications, both written and oral, taking place on or before November 30, 1987, between representatives of the Government and the federal Department of Employment and Immigration concerning the continuation of Unemployment Insurance benefits to Transitions participants, including the dates of such communications, the text(s) thereof (if written), the location(s) thereof (if oral), and the names and positions of the individuals involved. *December 3, 1987.*
  
36. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of FUTURES money allocations for 1987-88, including the amount(s) allocated to community colleges, the amount(s) allocated to Youth Employment Counselling Centres, the amount(s) allo-

cated to other organizations, and a further breakdown for each group of the amount specifically allocated to each program and the amount allocated to administrative and other non-program costs. *December 3, 1987.*

37. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all Transitions monies spent as of December 1, 1987, including the amount allocated to institutions of learning involved in the retraining of participants, the amount allocated to employers involved in the retraining of participants, and the amount allocated to administrative costs. *December 3, 1987.*
38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987.*
39. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in aggregate terms, the sources of primary income support for all Transitions participants as of December 1, 1987, including the number of participants whose primary source of income was Unemployment Insurance benefits, the number of participants whose primary source of income was social assistance in one form or another, the number of participants whose primary source of income was the Ontario Student Assistance Program, and the number of participants who were relying on some other source of income support. *December 3, 1987.*
40. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of the mid-year fiscal review of FUTURES allocations, including the names of delivery agents who said they did not require all FUTURES funds initially allocated and the amounts that were surplus, and the names of delivery agents who said that they would need additional funds and the amounts required. *December 3, 1987.*
41. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the dates final contracts for 1987 were sent to each of the Older Workers' Help Centres and the dates when they were returned. *December 3, 1987.*
42. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the amount of funds provided to each Older Workers' Help Centre from the Ministry since January 1, 1987, the date and amount of each disbursement and the arrangements for the disbursement of funds from the Ministry to the Centres as set out in each contract, and any correspondence authorizing changes to the contract disbursements. *December 3, 1987.*
43. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of all conversations between staff members of his Ministry and representatives of the Oakville 50 Plus Agency (Hopedale Mall) subsequent to 2.30 p.m., November 30, 1987, including the names

and the positions of the persons involved, the relevant dates, the subject of the conversations and the results thereof. *December 3, 1987.*

44. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all visits he has made to Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and locations of the centres visited, the dates thereof, and the time spent on each visit. *December 3, 1987.*
45. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all conversations held between him and representatives of Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and positions of the persons with whom he met or made contact, the names and locations of the centres represented by such persons, and the dates of these conversations. *December 3, 1987.*
46. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of any and all changes to FUTURES allocations which, as of December 1, 1987, had resulted from information obtained by the mid-year review of FUTURES allocations for the current fiscal year. *December 3, 1987.*
47. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of the procedures which, as of December 1, 1987, had been established by the Ministry for ensuring compliance to the FUTURES guidelines. *December 3, 1987.*
48. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of comments contained on page 100 of the Annual Report of the Provincial Auditor for the year ended March 31, 1987, details of Ministry initiatives as of December 1, 1987 to ensure the verification of FUTURES eligibility data. *December 3, 1987.*
49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*
50. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been received as of November 30, 1987. *December 3, 1987.*
51. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been processed as of November 30, 1987. *December 3, 1987.*



52. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, were participating in some form of retraining under the Transitions program. *December 3, 1987.*
53. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, had successfully completed some form of retraining under the Transitions program. *December 3, 1987.*
54. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of his comments in the Legislature on November 30, 1987 regarding federal responsibility for job training, an explanation of what he considers to be the role and responsibilities of the Government of Ontario (and in particular of the Ministry of Skills Development) with respect to the training and re-training of workers within the province. *December 3, 1987.*
55. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of individuals who, as of December 1, 1987, had been cut off Unemployment Insurance benefits while undergoing retraining under the Transitions program. *December 3, 1987.*
56. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Older Workers' Help Centres which, as of December 1, 1987, had informed the Ministry that under the matching funding formula they would not be able to survive the current fiscal year, the text of all communications between the Ministry and these centres as of December 1, 1987, and any results as of that same date. *December 3, 1987.*
57. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the statements contained on page 3 of the Transitions participant information brochure, a list of all Canada Employment Centres, Regional Apprenticeship offices, Ontario Help Centres and other community organizations which, as of December 1, 1987 had been sent copies of the Transitions brochure, and the dates of delivery thereof. *December 3, 1987.*
58. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the recommendations of his Ministry's discussion paper, *Training Women in the Workplace*, details of how the Ministry has, as of December 1, 1987, responded to each of the ten recommendations in the discussion paper, along with any results. *December 3, 1987.*
59. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which began operations since January 1, 1987, their sponsoring agencies, and which of them have received funding for FUTURES programs as of December 1, 1987. *December 3, 1987.*

60. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any changes to guidelines for the approval of FUTURES funding to Youth Employment Counselling Centres since January 12, 1987. *December 3, 1987.*
61. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any conversations which took place on or before December 1, 1987, between officials from his Ministry and officials from the Ministry of Colleges and Universities, and which concerned the application by Transitions participants for grants and/or loans under the Ontario Student Assistance Program, including the names and positions of the individuals involved, the dates of the conversations, and any record(s) thereof. *December 3, 1987.*
62. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which he visited between September 29, 1987 and December 1, 1987, including the duration of his stay, the names and positions of the individuals contacted, and the date of each visit. *December 3, 1987.*
63. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Health provide the cost of the Powell Report on Therapeutic Abortion Services in Ontario and a breakdown of the costs. *December 8, 1987.*
64. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each month between January, 1987 and September, 1987 inclusive. *December 8, 1987.*
65. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each of the months of October, 1987 and November, 1987. *December 8, 1987.*
66. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide a breakdown of the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersections of Front Street West and Spadina Avenue in Toronto between January 1, 1987 and September 30, 1987, indicating the number of notices served to drivers of taxi cabs, the number of notices served to drivers of buses, the number of notices served to drivers of police vehicles, the number of notices served to drivers of trucks and other commercial vehicles, and the number of notices served to drivers of private, non-commercial vehicles. *December 8, 1987.*
67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985,



what the position was and whether that position has been filed.  
*December 9, 1987.*

68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 5

*Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario.  
*Mrs Grier. To be debated on Thursday, December 10, 1987.*

### Ballot Item No. 6

*Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;
2. halt all projected installations of supermailboxes;
3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

*To be debated on Thursday, December 10, 1987.*

### Ballot Item No. 7

*Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*

### Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987*).

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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987*).

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987*).

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen*. (*Referred November 18, 1987*.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli*. (*Referred November 16, 1987*.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro*. (*Referred November 9, 1987*.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer*. (*Referred November 10, 1987*.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh*. (*Referred December 3, 1987*.)

Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens*. (*Referred November 9, 1987*.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter*. (*Referred December 8, 1987*.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan*. (*Referred November 25, 1987*.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell*. (*Referred November 17, 1987*.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins.* (Referred December 7, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred December 3, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* (Referred November 19, 1987.)

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (Referred by Order of the House on November 30, 1987).

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## MATTERS REFERRED TO STANDING COMMITTEES

(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet for the purpose of organization as follows:

Thursday, December 10	10.00 a.m.	Committee Room No. 1
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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Thursday, December 10	following Routine Proceedings	Room No. 228
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The Standing Committee on Government Agencies will meet as follows:

Today	10.00 a.m.	Room No. 228
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The Standing Committee on the Legislative Assembly will meet to consider the proposed reorganization of the Office of the Legislative Assembly as follows:

Today	3.30 p.m.	Room No. 151
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The Standing Committee on the Ombudsman will meet for the purpose of organization as follows:

Today	9.00 a.m.	Committee Room No. 1
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The Standing Committee on Public Accounts will meet as follows:

Thursday, December 10	10.00 a.m.	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr14, An Act respecting the York Fire & Casualty Insurance Company; Bill Pr71, An Act respecting Conrad Grebel College; Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association; Bill Pr8, An Act respecting the City of Toronto; and to discuss Bill Pr7, An Act respecting the Driving School Association of Ontario, as follows:

Today	10.00 a.m.	Room No. 151
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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Industry, Trade and Technology as follows:

Today	following Routine Proceedings	Committee Room No. 1
Thursday, December 10	following Routine Proceedings	Committee Room No. 1

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The Standing Committee on Social Development will meet to consider the Estimates of the Ministry of Skills Development as follows:

Thursday, December 10	following Routine Proceedings	Room No. 151
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 408 hrs., 04 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

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|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 7 hrs., 30 mins.                             |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 7 hrs., 30 mins. |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

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|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor ..... 5 hrs.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology ..... 5 hrs., 07 mins.  
(Adjourned at Vote 1901, Item 1)
2. Housing ..... 7 hrs., 30 mins.
3. Environment ..... 7 hrs., 30 mins.
4. Agriculture and Food ..... 7 hrs., 30 mins.
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... 2 hrs., 32 mins.  
(Adjourned at Vote 3301, Item 1)
2. Office Responsible for  
Disabled Persons ..... 7 hrs., 30 mins.
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.
7. Community and Social Services ..... 7 hrs., 30 mins.
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.

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No. 21

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Thursday, December 10, 1987

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### THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*. **PRINTED.\***
3. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*. **PRINTED.\***
4. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara*. **PRINTED.**

### GOVERNMENT BILLS AND ORDERS

5. *Committee of the Whole House:*

Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*. **PRINTED.**

6. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
7. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
8. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
9. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

10. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott*. **IMPRIMÉ.**

11. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott*. **PRINTED.**

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\*Lieutenant Governor's Recommendation received.



12. *Second Reading* Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître. PRINTED.\**
13. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye. PRINTED.*
14. *Second Reading* Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye. PRINTED.*
15. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye. PRINTED.*
16. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye. PRINTED.*
17. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan. PRINTED.*
18. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins. PRINTED.*
19. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye. PRINTED.*
20. *Second Reading* Bill 54, An Act to amend the Theatres Act. *Mr Wrye. PRINTED.*
21. *Second Reading* Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye. PRINTED.*
22. *Second Reading* Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye. PRINTED.*
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod. PRINTED.*
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins. PRINTED.*
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith. PRINTED.*
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.*
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.*

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\*Lieutenant Governor's Recommendation received.

28. *Concurrence in Supply* for the Ministry of Treasury and Economics.

29. *House in Committee of Supply*.

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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 30. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

31. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

32. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

33. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

34. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

35. *Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* **PRINTED.**

36. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

37. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

38. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**

39. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**

40. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

41. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

42. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

43. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

44. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

45. *Second Reading* Bill 34, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
46. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie. PRINTED.*
47. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie. PRINTED.*
48. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
49. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
50. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
51. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie. PRINTED.*
52. *Second Reading* Bill 41, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
53. *Second Reading* Bill 42, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
54. *Second Reading* Bill 43, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
55. *Second Reading* Bill 44, An Act to amend the Employment Standards Act.  
*Mr Mackenzie. PRINTED.*
56. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act.  
*Mr Cousens. PRINTED.*
57. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier. PRINTED.*
58. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves. PRINTED.*
59. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty. PRINTED.*
60. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. PRINTED.*
61. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman. PRINTED.*

- 62. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
- 63. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
- 64. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
- 65. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.*
- 66. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.*

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### PRIVATE BILLS

- 67. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
  - 68. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
  - 69. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.*
  - 70. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **REPRINTED.**
  - 71. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where



the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:



“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:



Propositions	«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
Choix des sénateurs	(2) Jusqu'à la modification, fait conformément à l'article 41 de la <i>Loi constitutionnelle de 1982</i> , de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
	3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
	« <i>Accords relatifs à l'immigration et aux aubains</i> »
Engagement	95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
Accords	95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
Restriction	(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
Application de la Charte	(3) La <i>Charte canadienne des droits et libertés</i> s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
Proclamation relative aux accords	95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
Modification des accords	(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:



- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.



Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending March 31, 1988, such payment to be charged to the proper appropriation following the voting of supply.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—
  1. immediately abandon its supermailbox program;
  2. halt all projected installations of supermailboxes;
  3. remove all supermailboxes at existing sites and to relandscape the area they occupied;

4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

30. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Treasury and Economics provide a detailed breakdown of the anticipated in-year expenditure savings and constraints referred to on page 50 of the Minister's 1987 budget document. Specifically itemizing, Ministry by Ministry, the anticipated in-year savings of \$275 million from budgeted operating expenditures and \$75 million from budgeted capital expenditures. *December 3, 1987.*
  
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987.*
  
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the renterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987. Interim Answer tabled December 8, 1987. Approximate date information available January 27, 1988.*
  
33. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the names of all universities and community colleges which, as of November 26, 1987, had been sent copies of Transitions brochures and application forms, along with the names of the individuals to whom these were sent, and the positions thereof. *December 3, 1987.*
  
34. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all purchases of refrigerators, microwave ovens and other appliances by FUTURES offices. *December 3, 1987.*
  
35. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all communications, both written and oral, taking place on or before November 30, 1987, between representatives of the Government and the federal Department of Employment and Immigration concerning the continuation of Unemployment Insurance benefits to Transitions participants, including the dates of such communications, the text(s) thereof (if written), the location(s) thereof (if oral), and the names and positions of the individuals involved. *December 3, 1987.*
  
36. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of FUTURES money allocations for 1987-88, including the amount(s) allocated to community colleges, the amount(s) allocated to Youth Employment Counselling Centres, the amount(s) allo-

cated to other organizations, and a further breakdown for each group of the amount specifically allocated to each program and the amount allocated to administrative and other non-program costs. *December 3, 1987.*

37. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all Transitions monies spent as of December 1, 1987, including the amount allocated to institutions of learning involved in the retraining of participants, the amount allocated to employers involved in the retraining of participants, and the amount allocated to administrative costs. *December 3, 1987.*
38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987.*
39. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in aggregate terms, the sources of primary income support for all Transitions participants as of December 1, 1987, including the number of participants whose primary source of income was Unemployment Insurance benefits, the number of participants whose primary source of income was social assistance in one form or another, the number of participants whose primary source of income was the Ontario Student Assistance Program, and the number of participants who were relying on some other source of income support. *December 3, 1987.*
40. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of the mid-year fiscal review of FUTURES allocations, including the names of delivery agents who said they did not require all FUTURES funds initially allocated and the amounts that were surplus, and the names of delivery agents who said that they would need additional funds and the amounts required. *December 3, 1987.*
41. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the dates final contracts for 1987 were sent to each of the Older Workers' Help Centres and the dates when they were returned. *December 3, 1987.*
42. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the amount of funds provided to each Older Workers' Help Centre from the Ministry since January 1, 1987, the date and amount of each disbursement and the arrangements for the disbursement of funds from the Ministry to the Centres as set out in each contract, and any correspondence authorizing changes to the contract disbursements. *December 3, 1987.*
43. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of all conversations between staff members of his Ministry and representatives of the Oakville 50 Plus Agency (Hopedale Mall) subsequent to 2.30 p.m., November 30, 1987, including the names



and the positions of the persons involved, the relevant dates, the subject of the conversations and the results thereof. *December 3, 1987.*

44. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all visits he has made to Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and locations of the centres visited, the dates thereof, and the time spent on each visit. *December 3, 1987.*
45. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all conversations held between him and representatives of Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and positions of the persons with whom he met or made contact, the names and locations of the centres represented by such persons, and the dates of these conversations. *December 3, 1987.*
46. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of any and all changes to FUTURES allocations which, as of December 1, 1987, had resulted from information obtained by the mid-year review of FUTURES allocations for the current fiscal year. *December 3, 1987.*
47. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of the procedures which, as of December 1, 1987, had been established by the Ministry for ensuring compliance to the FUTURES guidelines. *December 3, 1987.*
48. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of comments contained on page 100 of the Annual Report of the Provincial Auditor for the year ended March 31, 1987, details of Ministry initiatives as of December 1, 1987 to ensure the verification of FUTURES eligibility data. *December 3, 1987.*
49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*
50. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been received as of November 30, 1987. *December 3, 1987.*
51. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been processed as of November 30, 1987. *December 3, 1987.*



52. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, were participating in some form of retraining under the Transitions program. *December 3, 1987.*
53. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, had successfully completed some form of retraining under the Transitions program. *December 3, 1987.*
54. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of his comments in the Legislature on November 30, 1987 regarding federal responsibility for job training, an explanation of what he considers to be the role and responsibilities of the Government of Ontario (and in particular of the Ministry of Skills Development) with respect to the training and re-training of workers within the province. *December 3, 1987.*
55. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of individuals who, as of December 1, 1987, had been cut off Unemployment Insurance benefits while undergoing retraining under the Transitions program. *December 3, 1987.*
56. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Older Workers' Help Centres which, as of December 1, 1987, had informed the Ministry that under the matching funding formula they would not be able to survive the current fiscal year, the text of all communications between the Ministry and these centres as of December 1, 1987, and any results as of that same date. *December 3, 1987.*
57. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the statements contained on page 3 of the Transitions participant information brochure, a list of all Canada Employment Centres, Regional Apprenticeship offices, Ontario Help Centres and other community organizations which, as of December 1, 1987 had been sent copies of the Transitions brochure, and the dates of delivery thereof. *December 3, 1987.*
58. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the recommendations of his Ministry's discussion paper, *Training Women in the Workplace*, details of how the Ministry has, as of December 1, 1987, responded to each of the ten recommendations in the discussion paper, along with any results. *December 3, 1987.*
59. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which began operations since January 1, 1987, their sponsoring agencies, and which of them have received funding for FUTURES programs as of December 1, 1987. *December 3, 1987.*

60. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any changes to guidelines for the approval of FUTURES funding to Youth Employment Counselling Centres since January 12, 1987. *December 3, 1987.*
61. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any conversations which took place on or before December 1, 1987, between officials from his Ministry and officials from the Ministry of Colleges and Universities, and which concerned the application by Transitions participants for grants and/or loans under the Ontario Student Assistance Program, including the names and positions of the individuals involved, the dates of the conversations, and any record(s) thereof. *December 3, 1987.*
62. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which he visited between September 29, 1987 and December 1, 1987, including the duration of his stay, the names and positions of the individuals contacted, and the date of each visit. *December 3, 1987.*
63. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Health provide the cost of the Powell Report on Therapeutic Abortion Services in Ontario and a breakdown of the costs. *December 8, 1987.*
64. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each month between January, 1987 and September, 1987 inclusive. *December 8, 1987.*
65. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each of the months of October, 1987 and November, 1987. *December 8, 1987.*
66. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide a breakdown of the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersections of Front Street West and Spadina Avenue in Toronto between January 1, 1987 and September 30, 1987, indicating the number of notices served to drivers of taxi cabs, the number of notices served to drivers of buses, the number of notices served to drivers of police vehicles, the number of notices served to drivers of trucks and other commercial vehicles, and the number of notices served to drivers of private, non-commercial vehicles. *December 8, 1987.*
67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985,

what the position was and whether that position has been filed.  
*December 9, 1987.*

68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987.*
69. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering.  
*December 10, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 5

*Second Reading* Bill 13, An Act respecting Environmental Rights in Ontario.  
*Mrs Grier. To be debated today.*

## Ballot Item No. 6

*Mr Cousens*—Resolution—That, in the opinion of this House, recognizing that the Government of Canada's supermailbox program has created second class citizens of many Ontario urban dwellers, this Legislature strongly urges the Government of Canada to direct the Canada Post Corporation to:—

1. immediately abandon its supermailbox program;
2. halt all projected installations of supermailboxes;
3. remove all supermailboxes at existing sites and to relandscape the area they occupied;
4. restore home delivery to all affected residences;

and that this resolution be forwarded to the Parliament of Canada.

*To be debated today.*

## Ballot Item No. 7

*Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*

## Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987*).

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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987*).

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987*).

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen*. (*Referred November 18, 1987*.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli*. (*Referred November 16, 1987*.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro*. (*Referred November 9, 1987*.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer*. (*Referred November 10, 1987*.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh*. (*Referred December 3, 1987*.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter*. (*Referred December 8, 1987*.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan*. (*Referred November 25, 1987*.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell*. (*Referred November 17, 1987*.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins*. (*Referred December 7, 1987*.)



Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter. (Referred November 9, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett. (Referred November 19, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers. (Referred November 9, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987).*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet for the purpose of organization as follows:

Today	10.00 a.m.	Committee Room No. 1
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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Today	following Routine Proceedings	Room No. 228
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The Standing Committee on Public Accounts will meet as follows:

Today	10.00 a.m.	Room No. 151
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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Industry, Trade and Technology as follows:

Today	following Routine Proceedings	Committee Room No. 1
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The Standing Committee on Social Development will meet to consider the Estimates of the Ministry of Skills Development as follows:

Today	following Routine Proceedings	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr70, An Act to revive Community Youth Programs Inc.; Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation; Bill Pr54, An Act to revive the Toronto Ski Club; Bill Pr26, An Act to revive 353583 Ontario Limited; Bill Pr8, An Act respecting the City of Toronto; and Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario; as follows:

Wednesday, December 16	10.00 a.m.	Room No. 151
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 405 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 7 hrs., 30 mins.                             |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 7 hrs., 30 mins. |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |                                  |        |
|----------------------------------|--------|
| 1. Office of the Ombudsman ..... | 5 hrs. |
|----------------------------------|--------|

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Provincial Auditor ..... | 5 hrs. |
|---|--------|

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Industry, Trade and Technology ..... | 2 hrs., 33 mins. |
| (Adjourned at Vote 1901, Item 9)        |                  |
| 2. Housing .....                        | 7 hrs., 30 mins. |
| 3. Environment .....                    | 7 hrs., 30 mins. |
| 4. Agriculture and Food .....           | 7 hrs., 30 mins. |
| 5. Mines .....                          | 7 hrs., 30 mins. |
| 6. Municipal Affairs .....              | 7 hrs., 30 mins. |
| 7. Natural Resources .....              | 7 hrs., 30 mins. |
| 8. Tourism and Recreation .....         | 7 hrs., 30 mins. |
| 9. Transportation .....                 | 7 hrs., 30 mins. |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Skills Development .....                                 | 2 hrs., 32 mins. |
| (Adjourned at Vote 3301, Item 1)                            |                  |
| 2. Office Responsible for<br>Disabled Persons .....         | 7 hrs., 30 mins. |
| 3. Education .....  | 7 hrs., 30 mins. |
| 4. Office Responsible for<br>Senior Citizens' Affairs ..... | 7 hrs., 30 mins. |
| 5. Citizenship .....  | 7 hrs., 30 mins. |
| 6. Colleges and Universities .....                          | 7 hrs., 30 mins. |
| 7. Community and Social Services .....                      | 7 hrs., 30 mins. |
| 8. Culture and Communications .....                         | 7 hrs., 30 mins. |
| 9. Health .....   | 7 hrs., 30 mins. |

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No. 22

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, December 14, 1987

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
  16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
  17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
  18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
  19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
  20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
  21. *Second Reading* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
  22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
  23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
  24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
  25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
  26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
  27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.**
  28. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  29. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 30. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

31. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
32. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
33. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
34. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
35. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
36. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
37. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**
38. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**
39. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
40. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
41. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
42. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
43. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**
44. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

45. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
46. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
47. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
48. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
49. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
50. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
51. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
52. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
54. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
56. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
57. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
58. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
59. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* **PRINTED.**
60. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
61. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



62. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
63. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
64. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
65. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
66. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.*

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#### PRIVATE BILLS

67. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
  68. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
  69. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
  70. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **REPRINTED.**
  71. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

- (2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

- (3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

- (4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

- “25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

- (2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

**95A.** The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where



the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:



“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:



## Propositions

«**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

## Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

**3.** La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«*Accords relatifs à l'immigration et aux aubains*»

## Engagement

**95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

## Accords

**95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application relative aux accords

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:



a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovibilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending March 31, 1988, such payment to be charged to the proper appropriation following the voting of supply.
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
8. *Debated December 10, 1987.*
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector

in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:

1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;
2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and

8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

### NOTE:

†Interim Answers to Questions 3 to 16 inclusive tabled November 30, 1987.  
Approximate date information available January 28, 1988.

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3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
  4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
  5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
  6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
  7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
  8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of



the passage of the French Language Services Act, 1986. *November 16, 1987.*†

9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint



Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*<sup>†</sup>

17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987. Interim Answer* tabled November 30, 1987. Approximate date information available January 29, 1988.
18. *Answered December 10, 1987.*
19. *Mr Wildman*—Enquiry of the Ministry—Would the Minister of Natural Resources provide the following information: (1) What was the exact role of the ministry staff in Operation Falcon; (2) What was the total cost to Ontario taxpayers for provincial participation in this operation; (3) What were the total man hours expended by ministry staff on this operation. *November 24, 1987.*
20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 28, 1988.
21. *Mrs Marland*—Enquiry of the Ministry—Would each Minister provide a report on the percentage of recycled paper used by the Ministry, including a report on the cost of total paper supplies, the number of publications produced by the Ministry in 1986/87 over 10 pages, the number of publications produced by the Ministry in 1986/87 under 10 pages, the number of brochures and information packages, and the percentage of these publications produced using recycled paper. *November 26, 1987.*
22. *Answered December 10, 1987.*
23. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide the number of subsidized co-operative housing applications submitted from Simcoe County since July of 1985. *December 2, 1987.*
24. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Housing provide a list of the subsidized co-operative housing applications approved for Simcoe County since July of 1985. *December 2, 1987.*
25. *Mr McLean*—Enquiry of the Ministry—Would the Solicitor General provide a list of the coroners appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*

26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987.*
27. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends who have used government owned or leased aircraft since July of 1985. *December 2, 1987.*
28. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the cost for printing the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
29. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the tendered prices of four of the finalists applying for contracts to print the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
30. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Treasury and Economics provide a detailed breakdown of the anticipated in-year expenditure savings and constraints referred to on page 50 of the Minister's 1987 budget document. Specifically itemizing, Ministry by Ministry, the anticipated in-year savings of \$275 million from budgeted operating expenditures and \$75 million from budgeted capital expenditures. *December 3, 1987.*
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987.*
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the renterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987. Interim Answer tabled December 8, 1987. Approximate date information available January 27, 1988.*
33. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the names of all universities and community colleges which, as of November 26, 1987, had been sent copies of Transitions brochures and application forms, along with the names of the individuals to whom these were sent, and the positions thereof. *December 3, 1987.*
34. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all purchases of refrigerators, microwave ovens and other appliances by FUTURES offices. *December 3, 1987.*
35. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all communications, both written and oral, taking place on or before November 30, 1987, between representatives of the

Government and the federal Department of Employment and Immigration concerning the continuation of Unemployment Insurance benefits to Transitions participants, including the dates of such communications, the text(s) thereof (if written), the location(s) thereof (if oral), and the names and positions of the individuals involved. *December 3, 1987.*

36. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of FUTURES money allocations for 1987-88, including the amount(s) allocated to community colleges, the amount(s) allocated to Youth Employment Counselling Centres, the amount(s) allocated to other organizations, and a further breakdown for each group of the amount specifically allocated to each program and the amount allocated to administrative and other non-program costs. *December 3, 1987.*
37. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all Transitions monies spent as of December 1, 1987, including the amount allocated to institutions of learning involved in the retraining of participants, the amount allocated to employers involved in the retraining of participants, and the amount allocated to administrative costs. *December 3, 1987.*
38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987.*
39. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in aggregate terms, the sources of primary income support for all Transitions participants as of December 1, 1987, including the number of participants whose primary source of income was Unemployment Insurance benefits, the number of participants whose primary source of income was social assistance in one form or another, the number of participants whose primary source of income was the Ontario Student Assistance Program, and the number of participants who were relying on some other source of income support. *December 3, 1987.*
40. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of the mid-year fiscal review of FUTURES allocations, including the names of delivery agents who said they did not require all FUTURES funds initially allocated and the amounts that were surplus, and the names of delivery agents who said that they would need additional funds and the amounts required. *December 3, 1987.*
41. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the dates final contracts for 1987 were sent to each of the Older Workers' Help Centres and the dates when they were returned. *December 3, 1987.*
42. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the amount of funds provided to each Older Workers'



Help Centre from the Ministry since January 1, 1987, the date and amount of each disbursement and the arrangements for the disbursement of funds from the Ministry to the Centres as set out in each contract, and any correspondence authorizing changes to the contract disbursements. *December 3, 1987.*

43. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the details of all conversations between staff members of his Ministry and representatives of the Oakville 50 Plus Agency (Hopedale Mall) subsequent to 2.30 p.m., November 30, 1987, including the names and the positions of the persons involved, the relevant dates, the subject of the conversations and the results thereof. *December 3, 1987.*
44. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all visits he has made to Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and locations of the centres visited, the dates thereof, and the time spent on each visit. *December 3, 1987.*
45. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of all conversations held between him and representatives of Unemployed Older Workers' Help Centres between September 29, 1987 and December 1, 1987, including the names and positions of the persons with whom he met or made contact, the names and locations of the centres represented by such persons, and the dates of these conversations. *December 3, 1987.*
46. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of any and all changes to FUTURES allocations which, as of December 1, 1987, had resulted from information obtained by the mid-year review of FUTURES allocations for the current fiscal year. *December 3, 1987.*
47. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the response of the Deputy Minister sent to the Provincial Auditor and received thereby on October 7, 1987, details of the procedures which, as of December 1, 1987, had been established by the Ministry for ensuring compliance to the FUTURES guidelines. *December 3, 1987.*
48. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of comments contained on page 100 of the Annual Report of the Provincial Auditor for the year ended March 31, 1987, details of Ministry initiatives as of December 1, 1987 to ensure the verification of FUTURES eligibility data. *December 3, 1987.*
49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*

50. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been received as of November 30, 1987. *December 3, 1987.*
51. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of Transitions applications which had been processed as of November 30, 1987. *December 3, 1987.*
52. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, were participating in some form of retraining under the Transitions program. *December 3, 1987.*
53. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of persons who, as of November 30, 1987, had successfully completed some form of retraining under the Transitions program. *December 3, 1987.*
54. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of his comments in the Legislature on November 30, 1987 regarding federal responsibility for job training, an explanation of what he considers to be the role and responsibilities of the Government of Ontario (and in particular of the Ministry of Skills Development) with respect to the training and re-training of workers within the province. *December 3, 1987.*
55. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the number of individuals who, as of December 1, 1987, had been cut off Unemployment Insurance benefits while undergoing retraining under the Transitions program. *December 3, 1987.*
56. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Older Workers' Help Centres which, as of December 1, 1987, had informed the Ministry that under the matching funding formula they would not be able to survive the current fiscal year, the text of all communications between the Ministry and these centres as of December 1, 1987, and any results as of that same date. *December 3, 1987.*
57. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the statements contained on page 3 of the Transitions participant information brochure, a list of all Canada Employment Centres, Regional Apprenticeship offices, Ontario Help Centres and other community organizations which, as of December 1, 1987 had been sent copies of the Transitions brochure, and the dates of delivery thereof. *December 3, 1987.*
58. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide, in view of the recommendations of his Ministry's discussion paper, *Training Women in the Workplace*, details of how the Ministry has, as of December 1, 1987, responded to each of the ten recommendations in the discussion paper, along with any results. *December 3, 1987.*



59. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which began operations since January 1, 1987, their sponsoring agencies, and which of them have received funding for FUTURES programs as of December 1, 1987. *December 3, 1987.*
60. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any changes to guidelines for the approval of FUTURES funding to Youth Employment Counselling Centres since January 12, 1987. *December 3, 1987.*
61. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide details of any conversations which took place on or before December 1, 1987, between officials from his Ministry and officials from the Ministry of Colleges and Universities, and which concerned the application by Transitions participants for grants and/or loans under the Ontario Student Assistance Program, including the names and positions of the individuals involved, the dates of the conversations, and any record(s) thereof. *December 3, 1987.*
62. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide a list of all Youth Employment Counselling Centres which he visited between September 29, 1987 and December 1, 1987, including the duration of his stay, the names and positions of the individuals contacted, and the date of each visit. *December 3, 1987.*
63. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Health provide the cost of the Powell Report on Therapeutic Abortion Services in Ontario and a breakdown of the costs. *December 8, 1987.*
64. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each month between January, 1987 and September, 1987 inclusive. *December 8, 1987.*
65. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each of the months of October, 1987 and November, 1987. *December 8, 1987.*
66. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide a breakdown of the number of certificates of offence for violations of section 121(5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersections of Front Street West and Spadina Avenue in Toronto between January 1, 1987 and September 30, 1987, indicating the number of notices served to drivers of taxi cabs, the number of notices served to drivers of buses, the number of notices served to drivers of police vehicles, the number of notices served to drivers

of trucks and other commercial vehicles, and the number of notices served to drivers of private, non-commercial vehicles. *December 8, 1987.*

67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987.*
68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987.*
69. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987.*
70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item Nos. 5 and 6. *Debated December 10, 1987.*

Ballot Item No. 7

*Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*

Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987*).

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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987*).

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987*).

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen*. (*Referred November 18, 1987*.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli*. (*Referred November 16, 1987*.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro*. (*Referred November 9, 1987*.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer*. (*Referred November 10, 1987*.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breagh*. (*Referred December 3, 1987*.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter*. (*Referred December 8, 1987*.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan*. (*Referred November 25, 1987*.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell*. (*Referred November 17, 1987*.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins*. (*Referred December 7, 1987*.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens.* (Referred December 9, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred December 3, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* (Referred December 10, 1987.)

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (Referred by Order of the House on November 30, 1987).

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Standing Committee on Administration of Justice will meet to consider the Estimates of the Ministry of Energy as follows:

Today	following Routine Proceedings	Room No. 228
Tuesday, December 15	following Routine Proceedings	Room No. 228

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The Standing Committee on Finance and Economic Affairs will meet to consider the constitutionality of free trade as follows:

Tuesday, December 15	<b>MEETING CANCELLED</b>	
Thursday, December 17	10.00 a.m.	Committee Room No. 1

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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Thursday, December 17	10.00 a.m.	Room No. 228
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The Standing Committee on Government Agencies will meet as follows:

Wednesday, December 16	10.00 a.m.	Room No. 228
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The Standing Committee on the Legislative Assembly will meet to consider the request for assistance by the National Assembly of Nicaragua and to consider ONTPARL promotion strategy as follows:

Wednesday, December 16	3.30 p.m.	Room No. 151
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The Standing Committee on Public Accounts will meet to consider the Estimates of the Office of the Provincial Auditor as follows:

Thursday, December 17	9.00 a.m.	Room No. 151
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr70, An Act to revive Community Youth Programs Inc.; Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation; Bill Pr54, An Act to revive the Toronto Ski Club; Bill Pr26, An Act to revive 353583 Ontario Limited; Bill Pr8, An Act respecting the City of Toronto; and Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario as follows:

Wednesday, December 16	10.00 a.m.	Room No. 151
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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Housing as follows:

Today	following Routine Proceedings	Committee Room No. 1
Wednesday, Dec. 16	following Routine Proceedings	Committee Room No. 1
Thursday, December 17	following Routine Proceedings	Committee Room No. 1

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The Standing Committee on Social Development will meet to consider the Estimates of the Office Responsible for Disabled Persons as follows:

Today	following Routine Proceedings	Room No. 151
Tuesday, December 15	following Routine Proceedings	Room No. 151
Thursday, December 16	following Routine Proceedings	Room No. 151

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## ESTIMATES

### TOTAL HOURS FOR CONSIDERATION OF

ALL ESTIMATES ..... 398 hrs., 25 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 7 hrs., 30 mins.                             |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 5 hrs., 15 mins. |
| (Adjourned at Vote 2101, Item 1)                  |                  |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |                                  |        |
|----------------------------------|--------|
| 1. Office of the Ombudsman ..... | 5 hrs. |
|----------------------------------|--------|

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Provincial Auditor ..... | 5 hrs. |
|---|--------|

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

- |                                     |  |
|-------------------------------------|--|
| 1. Industry, Trade and Technology . | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Housing .....                    | 7 hrs., 30 mins.                               |
| 3. Environment .....                | 7 hrs., 30 mins.                               |
| 4. Agriculture and Food .....       | 7 hrs., 30 mins.                               |
| 5. Mines .....                      | 7 hrs., 30 mins.                               |
| 6. Municipal Affairs .....          | 7 hrs., 30 mins.                               |
| 7. Natural Resources .....          | 7 hrs., 30 mins.                               |
| 8. Tourism and Recreation .....     | 7 hrs., 30 mins.                               |
| 9. Transportation .....             | 7 hrs., 30 mins.                               |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

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|---|--|
| 1. Skills Development .....                                 | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Office Responsible for<br>Disabled Persons .....         | 7 hrs., 30 mins.                               |
| 3. Education .....  | 7 hrs., 30 mins.                               |
| 4. Office Responsible for<br>Senior Citizens' Affairs ..... | 7 hrs., 30 mins.                               |
| 5. Citizenship .....  | 7 hrs., 30 mins.                               |
| 6. Colleges and Universities .....                          | 7 hrs., 30 mins.                               |
| 7. Community and Social Services .....                      | 7 hrs., 30 mins.                               |
| 8. Culture and Communications .....                         | 7 hrs., 30 mins.                               |
| 9. Health .....   | 7 hrs., 30 mins.                               |









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No. 23

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, December 15, 1987

## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*.\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*.
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*.\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*.
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*.\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara*.
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye*.
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye*.
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye*.

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.



15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.*
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.*
30. *Concurrence in Supply* for the Ministry of Treasury and Economics.

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\*Lieutenant Governor's Recommendation received.

31. *Concurrence in Supply* for the Ministry of Skills Development.
  32. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  33. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 34. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

35. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
36. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
37. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
38. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
39. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
40. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
41. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**
42. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**
43. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
44. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
45. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
46. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
47. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**
48. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

49. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
50. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
51. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
52. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
54. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
56. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
60. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
61. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
62. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
63. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* **PRINTED.**
64. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
65. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**

66. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
67. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
68. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
69. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
70. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.*
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### PRIVATE BILLS

71. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
72. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
73. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
74. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **REPRINTED.**
75. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

- Agreements**      **95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
- Limitation**      (2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
- Application of Charter**      (3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
- Proclamation relating to agreements**      **95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
- Amendment of agreements**      (2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.
- (a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or
- (b) in such other manner as is set out in the agreement.
- Application of sections 46 to 48 of Constitution Act, 1982**      **95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
- Amendments to sections 95A to 95D or this section**      **95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where



the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:



“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

**14.** Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

**15.** Section 61 of the said Act is repealed and the following substituted therefor:

References

“**61.** A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

**16.** Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

**17.** This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:



## Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

## Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«*Accords relatifs à l'immigration et aux aubains*»

## Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

## Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:



- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.



Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.
8. *Mr Kwinter*—Resolution—That in the opinion of the Legislative Assembly of the Province of Ontario the proposed trade agreement between Canada and the United States fails to address Canada's needs and goals, while making significant concessions which could prove costly to Canadians. Specifically:
  - The proposed agreement fails to secure access to the U.S. market for Canadian goods and services, and provides no assurance of fairer treatment for Canadian exporters. It provides Canadians with virtually



no relief from the U.S. trade laws and regulations that are being used to harass them.

- Under the proposed agreement, Canadian exporters could still be penalized in the United States as a result of Canadian policies and programs to promote industrial development, reduce regional disparities, and manage our natural resources.
- This agreement would relinquish our ability to pursue an independent energy policy in order to ensure security of supply or enhance regional development.
- This agreement would significantly reduce our ability to ensure that Canadians benefit from U.S. investment and proposed takeovers of Canadian-owned firms.
- This agreement would undercut safeguards which have ensured the existence of a dynamic Canadian auto industry, and reduce Canada's ability to attract offshore auto industry investment.
- This agreement would eliminate tariffs simultaneously in both countries, despite the fact that Canadian tariffs start at a higher level.
- This agreement would threaten the existence of significant sectors of the agriculture and food-processing industries.
- This agreement would require the federal government to take "all necessary measures" to implement its provisions, including infringement on the provincial capacity to respond to the needs of Ontario citizens.

Under this agreement Canada would give up far more than it gained.

For these reasons, the Legislative Assembly of the Province of Ontario opposes this agreement as detrimental to Canada's sovereignty and economic interests, and will not be bound to implement those aspects which fall under provincial jurisdiction. We urge the Parliament of Canada to reject the agreement.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as

soon as possible to further regulate the bereavement industry to ensure the following:

1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;
2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.

## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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69. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987.*
  
  70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987.*
  
  71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987.*
  
  72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 7

*Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*

## Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987*).

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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987*).

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987*).

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen*. (*Referred November 18, 1987*.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli*. (*Referred November 16, 1987*.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro*. (*Referred November 9, 1987*.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer*. (*Referred November 10, 1987*.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh*. (*Referred December 3, 1987*.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter*. (*Referred December 8, 1987*.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan*. (*Referred November 25, 1987*.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell*. (*Referred November 17, 1987*.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins*. (*Referred December 7, 1987*.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens.* (Referred December 9, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred December 3, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* (Referred December 10, 1987.)

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (Referred by Order of the House on November 30, 1987.)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Standing Committee on Administration of Justice will meet to consider the Estimates of the Ministry of Energy as follows:

Today	following Routine Proceedings	Room No. 228
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The Standing Committee on Finance and Economic Affairs will meet to consider the constitutionality of free trade as follows:

Thursday, December 17	10.00 a.m.	Room No. 151
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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Thursday, December 17	10.00 a.m.	Room No. 228
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The Standing Committee on Government Agencies will meet as follows:

Wednesday, December 16	10.00 a.m.	Room No. 228
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The Standing Committee on the Legislative Assembly will meet to consider the request for assistance by the National Assembly of Nicaragua and to consider ONTPARL promotion strategy as follows:

Wednesday, December 16	3.30 p.m.	Room No. 151
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The Standing Committee on Public Accounts will meet to consider the Estimates of the Office of the Provincial Auditor as follows:

Thursday, December 17	9.00 a.m.	Committee Room No. 1
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr70, An Act to revive Community Youth Programs Inc.; Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation; Bill Pr54, An Act to revive the Toronto Ski Club; Bill Pr26, An Act to revive 353583 Ontario Limited; Bill Pr8, An Act respecting the City of Toronto; and Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario as follows:

Wednesday, December 16	10.00 a.m.	Room No. 151
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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Housing as follows:

Wednesday, Dec. 16	following Routine Proceedings	Committee Room No. 1
Thursday, December 17	following Routine Proceedings	Committee Room No. 1

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The Standing Committee on Social Development will meet to consider the Estimates of the Office Responsible for Disabled Persons as follows:

Today	following Routine Proceedings	Room No. 151
Thursday, December 16	following Routine Proceedings	Room No. 151

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 393 hrs., 48 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| (Adjourned at Vote 1301, Item 1)                  |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 5 hrs., 15 mins. |
| (Adjourned at Vote 2101, Item 1)                  |                  |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |                                  |        |
|----------------------------------|--------|
| 1. Office of the Ombudsman ..... | 5 hrs. |
|----------------------------------|--------|

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Provincial Auditor ..... | 5 hrs. |
|---|--------|

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

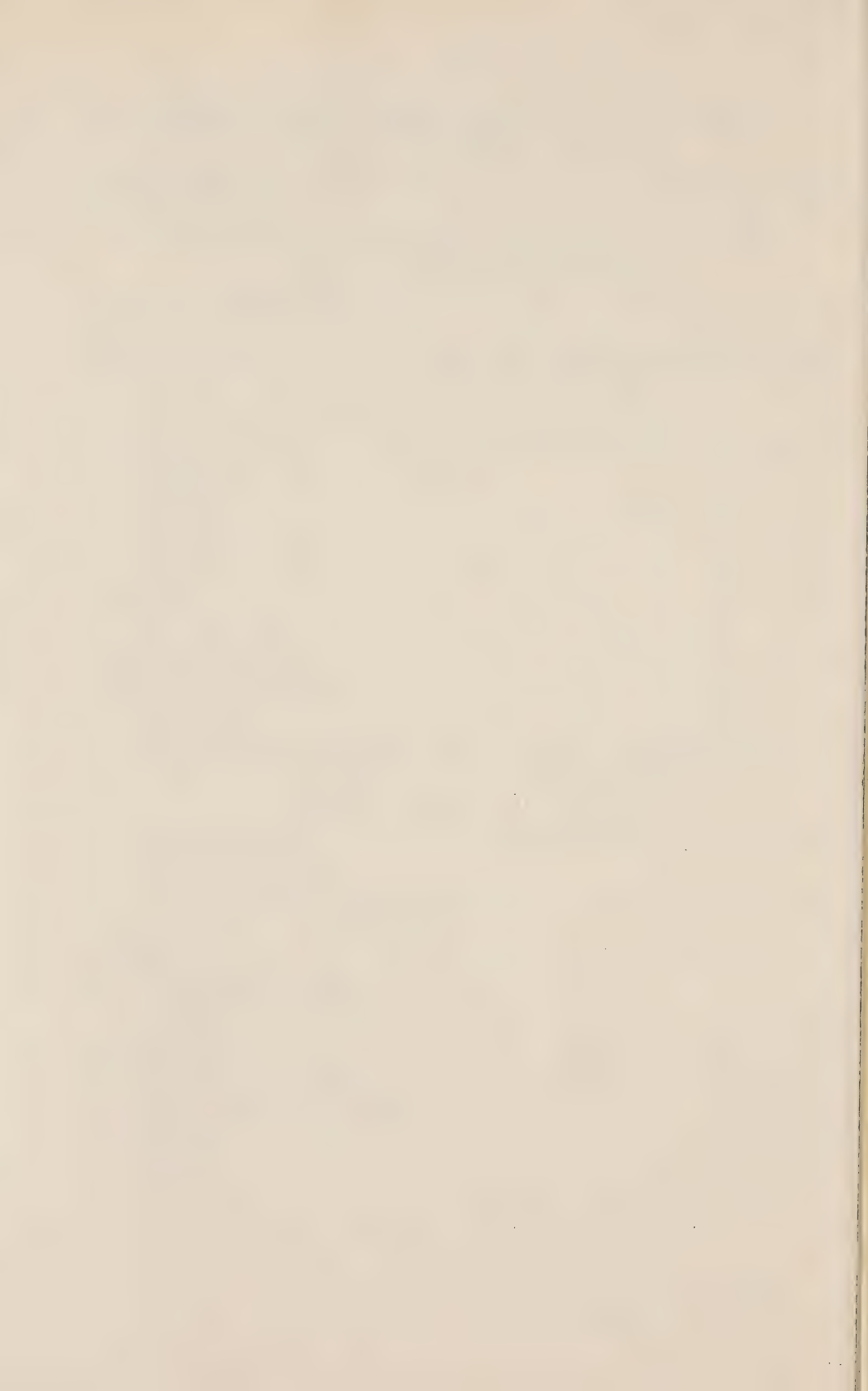
- |                                     |  |
|-------------------------------------|--|
| 1. Industry, Trade and Technology . | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Housing .....                    | 6 hrs., 54 mins.                               |
| (Adjourned at Vote 1801, Item 1)    |  |
| 3. Environment .....                | 7 hrs., 30 mins.                               |
| 4. Agriculture and Food .....       | 7 hrs., 30 mins.                               |
| 5. Mines .....                      | 7 hrs., 30 mins.                               |
| 6. Municipal Affairs .....          | 7 hrs., 30 mins.                               |
| 7. Natural Resources .....          | 7 hrs., 30 mins.                               |
| 8. Tourism and Recreation .....     | 7 hrs., 30 mins.                               |
| 9. Transportation .....             | 7 hrs., 30 mins.                               |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Skills Development .....                                 | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Office Responsible for<br>Disabled Persons .....         | 5 hrs., 05 mins.                               |
| (Adjourned at Vote 1101, Item 1)                            |  |
| 3. Education .....  | 7 hrs., 30 mins.                               |
| 4. Office Responsible for<br>Senior Citizens' Affairs ..... | 7 hrs., 30 mins.                               |
| 5. Citizenship .....  | 7 hrs., 30 mins.                               |
| 6. Colleges and Universities .....                          | 7 hrs., 30 mins.                               |
| 7. Community and Social Services .....                      | 7 hrs., 30 mins.                               |
| 8. Culture and Communications .....                         | 7 hrs., 30 mins.                               |
| 9. Health .....   | 7 hrs., 30 mins.                               |





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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, December 16, 1987

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.*
30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.*

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\*Lieutenant Governor's Recommendation received.

31. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  32. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  33. *Concurrence in Supply* for the Ministry of Skills Development.
  34. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  35. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 36. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

37. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

38. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

39. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

40. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

41. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

42. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

43. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

44. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

45. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

46. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

47. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

48. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

49. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

50. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

51. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
52. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
54. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
56. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
62. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
63. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
64. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
65. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* **PRINTED.**
66. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
67. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**



68. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
69. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
70. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
71. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
72. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
73. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*
74. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.*
75. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.*
76. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.*
77. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.*

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### PRIVATE BILLS

78. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
  79. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
  80. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
  81. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
  82. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the



amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where



the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

## “XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

## XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

### *Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

#### References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

#### Multicultural heritage and aboriginal people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

#### Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

#### M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;



que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:



- Propositions «**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
- Choix des sénateurs (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
- «*Accords relatifs à l'immigration et aux aubains*»
- Engagement **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
- Accords **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
- Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
- Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
- Proclamation relative aux accords **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
- Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;



- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.



Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.*

8. *Debated December 15, 1987.*

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as

soon as possible to further regulate the bereavement industry to ensure the following:

1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;
2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.

11. *Mr Daigeler* —Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.
  12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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69. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987.*
  
  70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987.*
  
  71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987.*
  
  72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 7

*Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated on Thursday, December 17, 1987.*

## Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated on Thursday, December 17, 1987.*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on the first Thursday of the Spring Session.*

## Ballot Item No. 10

*Mr Daigeler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on the first Thursday of the Spring Session.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the first Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987*).

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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987*).

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987*).

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen*. (*Referred November 18, 1987*.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli*. (*Referred November 16, 1987*.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro*. (*Referred November 9, 1987*.)

Bill Pr8, An Act respecting the City of Toronto. *Mr Offer*. (*Referred November 10, 1987*.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh*. (*Referred December 3, 1987*.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter*. (*Referred December 8, 1987*.)

Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan*. (*Referred November 25, 1987*.)

Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell*. (*Referred November 17, 1987*.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins*. (*Referred December 7, 1987*.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens.* (Referred December 9, 1987.)

Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* (Referred November 9, 1987.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* (Referred November 19, 1987.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred December 3, 1987.)

Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* (Referred November 9, 1987.)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* (Referred December 10, 1987.)

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp.* (Referred November 9, 1987.)

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (Referred by Order of the House on November 30, 1987.)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the constitutionality of free trade as follows:

Thursday, December 17	10.00 a.m.	Room No. 151
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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Thursday, December 17	10.00 a.m.	Room No. 228
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The Standing Committee on Government Agencies will meet as follows:

Today	10.00 a.m.	Room No. 228
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The Standing Committee on the Legislative Assembly will meet to consider the request for assistance by the National Assembly of Nicaragua and to consider ONTPARL promotion strategy as follows:

Today	3.30 p.m.	Room No. 151
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The Standing Committee on Public Accounts will meet to consider the Estimates of the Office of the Provincial Auditor as follows:

Thursday, December 17	9.00 a.m.	Committee Room No. 1
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The Standing Committee on Regulations and Private Bills will meet to consider Bill Pr70, An Act to revive Community Youth Programs Inc.; Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation; Bill Pr54, An Act to revive the Toronto Ski Club; Bill Pr26, An Act to revive 353583 Ontario Limited; Bill Pr8, An Act respecting the City of Toronto; and Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario as follows:

Today	10.00 a.m.	Room No. 151
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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Housing as follows:

Today	following Routine Proceedings	Committee Room No. 1
Thursday, December 17	following Routine Proceedings	Committee Room No. 1

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The Standing Committee on Social Development will meet to consider the Estimates of the Office Responsible for Disabled Persons as follows:

Thursday, December 17	following Routine Proceedings	Room No. 151
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 392 hrs., 28 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| (Adjourned at Vote 1301, Item 1)                  |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 5 hrs., 15 mins. |
| (Adjourned at Vote 2101, Item 1)                  |                  |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor ..... 5 hrs.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (*Completed Thursday, December 10, 1987*)
2. Housing ..... 6 hrs., 54 mins.  
(Adjourned at Vote 1801, Item 1)
3. Environment ..... 7 hrs., 30 mins.
4. Agriculture and Food ..... 7 hrs., 30 mins.
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

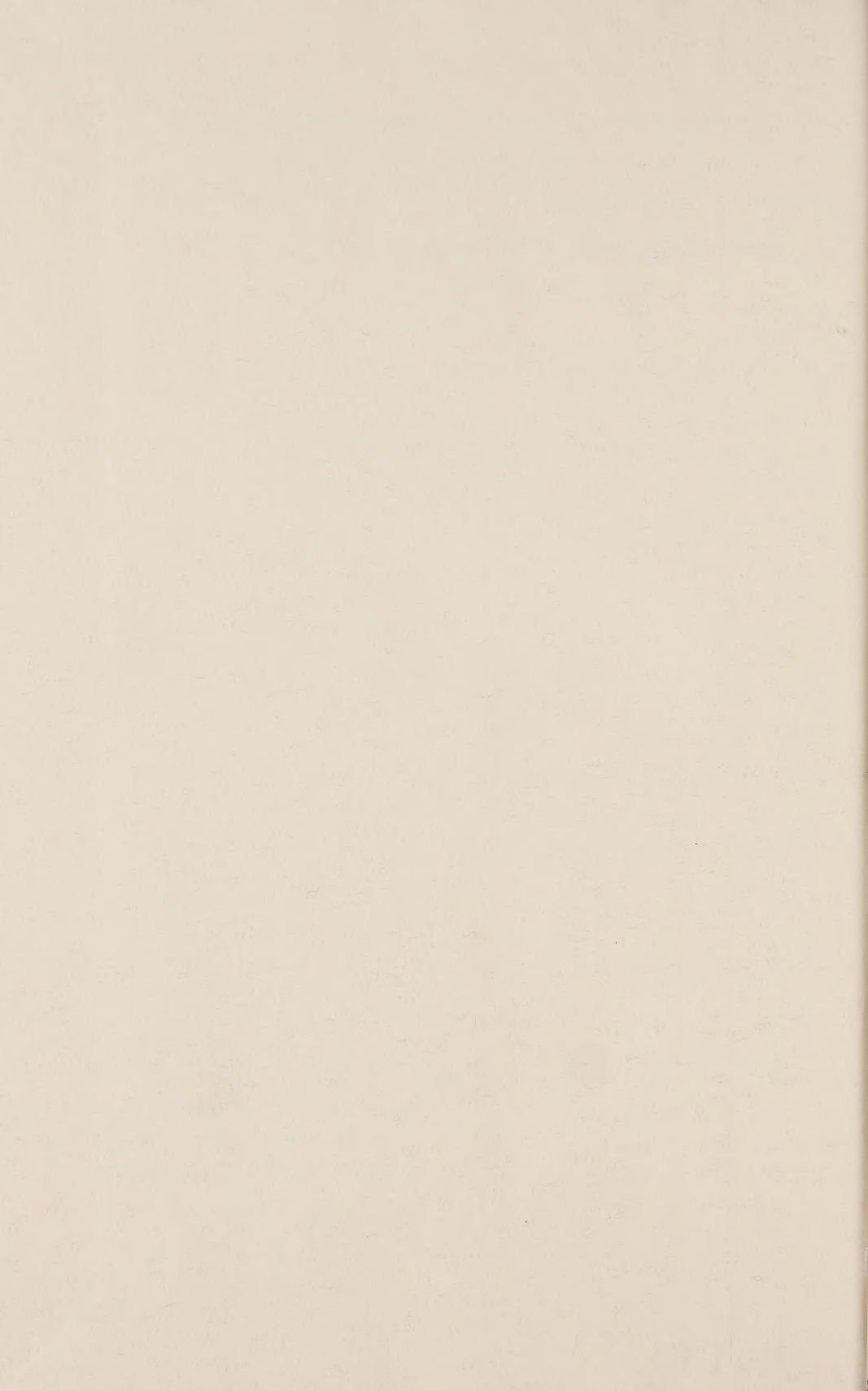
1. Skills Development ..... (*Completed Thursday, December 10, 1987*)
2. Office Responsible for  
    Disabled Persons ..... 3 hrs., 45 mins.  
(Adjourned at Vote 1101, Item 1)
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
    Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.
7. Community and Social Services ..... 7 hrs., 30 mins.
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.

















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